

CNR PBBT01-009462-2023.
CIS No.BA-2966 of 2023.

State versus Naginder Singh alias Shanti

Present: Shri Ranjit Singh Bangi, learned Advocate for applicant/
accused.
Shri Aseem Goyal, learned Public Prosecutor for the State.

ORDER

1) This order of mine shall dispose of regular bail application filed by applicant/ accused in the FIR No.128 dated 06.08.2023 u/s 21(B) of the NDPS Act, Police Station Sadar, Bathinda.

2) Notice of the bail application was given to the State and Shri Aseem Goyal, learned Public Prosecutor for the State has appeared in the court to contest the same. Police file received, which is perused and returned.

3) Shri Ranjit Singh Bangi, Learned counsel for the applicant has argued that latter has been falsely implicated in the present case. Alleged recovery has already been effected. The accused is in custody since 6.8.2023. Completion of investigation and trial is likely to take a long time, therefore, no useful purpose will be served by detaining the accused in custody. With these submissions, she has prayed for the grant of concession of anticipatory bail to the accused/ applicant.

4) Per-contra, Shri Aseem Goyal, Learned Public Prosecutor for the State has opposed the bail application and prayed for dismissal of the same.

5) I have heard rival contentions of both the sides and perused the record.

6) As per the FIR, on 6.8.2023, applicant/ accused alongwith his co-accused was apprehended by the police in the area of village Kotshamir (Bathinda) on the basis of suspicion as they were sitting by the side of a motorcycle and were searching something from a polythene by keeping the same on the seat of motorcycle bearing No.PB-10DT-4048. From the search of polythene recovered from the accused, 07 gram heroin was found. Applicant/ accused is in custody since 6.8.2023. The recovery effected from the applicant/ accused falls within the definition of non-commercial quantity. Co-accused have already been ordered to be released on bail. Conclusion of investigation and trial is likely to take some long time, so, no useful purpose will be served by keeping the applicant/ accused behind the bars for an indefinite period.

7) Hence, without commenting upon the merits of main case, applicant/ accused is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount subject to condition that he shall appear on and every date of hearing; he shall not leave the country without prior permission of the Court and he shall not induce the prosecution witnesses. File be attached with the connected papers.

Pronounced in the Open Court:
Dt.28.08.2023.

(Dinesh Kumar Wadhwa),
Judge, Special Court,
Bathinda (UID:PB-0445).

Kulwinder Singh,
Stenographer(Grade-II).