

HRSI010086312026



Presented on : 14-07-2026
Registered on : 14-07-2026
Decided on : 11-08-2026
Duration : 0 years, 0 months, 28 days

IN THE COURT OF
Addl District and Sessions Judge (FTSC/NDPS)
AT Sirsa, Sirsa
(Presided Over by Ms. Seema Singhal)
BA/2509/2026

Daya Nand aged about 32 years son of Sher Singh, resident of near LIC Office, Bhatta Colony, Hanumangarh Junction, District Hanumangarh (Rajasthan).

...Petitioner.

Versus

1. State of Haryana through Public Prosecutor, Sirsa.
2. SHO Police Station Ellenabad.

...Respondents.

First bail application under Section 483 of BNSS for grant of regular bail to petitioner in case FIR No.239 dated 01.07.2026, under Sections 17B/ 61/85 NDPS Act, Police Station Ellenabad.

Present: Sh. Rakesh Gilhotra, learned counsel for petitioner.
Sh. Munish Kumar, learned PP for State assisted by
L/ASI Ram Rati.

ORDER :

This order shall dispose of the first regular bail application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as BNSS) by petitioner-accused (hereinafter to be

referred as petitioner) in case FIR No.239 dated 01.07.2026, under Sections 17B/61/85 NDPS Act, Police Station Ellenabad.

2. Brief facts essential for the disposal of present bail application are that on 01.07.2026, petitioner and co-accused Kishan were arrested for keeping 512 gram opium in their joint possession without any permit or license in the area of police station Ellenabad after complying with the provisions of NDPS Act.

3. On notice, bail application was contested by the prosecution by filing reply, wherein all allegations leveled against the petitioner were reiterated.

4. The learned counsel for petitioner argued that the petitioner is innocent. He has been falsely implicated in this case. No recovery was effected from him. He is in custody since the time of his arrest. Challan has not been presented so far. Trial will take long time to conclude. He is ready to abide by all the terms and conditions imposed by the Court. With these submissions, it is prayed that bail application may be allowed.

5. The learned Public Prosecutor opposed the bail application arguing that if the petitioner is granted bail, it would facilitate him to repeat the similar type of offence. Accordingly, the dismissal of bail application has been prayed for.

6. I have heard the learned counsel for petitioner and the learned Public Prosecutor for the State and perused the case file.

7. As per presented facts, there was recovery of 512 gram opium from the joint possession of petitioner and co-accused Kishan. The

prosecution has yet to substantiate the above said allegations raised against the petitioner. He was arrested on 01.07.2026 and has already joined the investigation. Challan is still awaited. Trial will also take sufficient time to conclude. At this stage, no fruitful purpose would be served by keeping the petitioner behind the bars. He as per filed reply has no criminal background.

8. In view of the facts and circumstances discussed above and without commenting on the merits of case present bail application is **allowed** subject to furnishing of bail bond and surety bond to satisfaction of learned Area Magistrate/Duty Magistrate. Copy of bail order be sent through E-mail to Superintendent District Jail Sirsa, immediately. Papers be tagged with remand papers after doing needful.

Pronounced in open Court,
On:11.08.2026.

(Seema Singhal)
Addl. Sessions Judge, FTSC,
Sirsa, (UID No. HR0108).

All the pages of this order have been checked
and signed by me.

(Seema Singhal)
Addl. Sessions Judge, FTSC,
Sirsa, (UID No. HR0108).

Typed by
Ajit Singh, Stenographer-I

Present: Sh. Rakesh Gilhotra, learned counsel for petitioner.
Sh. Munish Kumar, learned PP for State assisted by
L/ASI Ram Rati.

Arguments heard. Vide separate order of even date, the present
bail application has been allowed. Papers be tagged with remand papers.

Pronounced in open Court,
On:11.08.2026.

(Seema Singhal)
Addl. Sessions Judge, FTSC,
Sirsa, (UID No. HR0108).

Typed by
Ajit Singh, Stenographer-I