

In the court of Ms. Balvinder Kaur Dhaliwal, PCS, Sub Judicial
Magistrate Balachaur, SBS Nagar. UID No. PB-0286.

State

VS.

1. Ravi Kumar @ Ravi s/o Gurmail Chnd, R/o Karimpur Dhiani, P.s. Pojewal, District SBS Nagar.

2. Hitesh @ Doctor S/o Bhupinder Kumar, R/o House No.81, Ward No.03 Mohalla Jodian, P.S. Garshankar, District Hoshiarpur.

.....Accused.

Date of order: 28.10.2021

FIR No. 71 dated 25.10.2021
U/S 21/29/61/85 of NDPS Act and
u/s 207 of MV Act,
P.S. Pojewal

Present: Sh. Ashok Kumar, Ld. APP for the State.
Sh. Lalit Chaudhary, Adv. counsel for the
accused/applicants.

ORDER:

File put up before me being Duty Magistrate. Heard on the bail application filed on behalf of accused Ravi Kumar @ Ravi and Hitesh @ doctor through counsel.

Ld. counsel for the applicant-accused submits that the applicants/accused are innocent and has not committed any offence and falsely implicated in this case. The trial will take long time and no useful purpose shall be served by detaining the accused in judicial custody. As such application may be allowed.

On the other hand, Learned APP opposed the contentions raised by the counsel for the accused/ applicant and argued that the accused/applicant has committed serious crime and apprehended with conscious possession of 02 gram Heroin without having any license permit or authority and there is another FIR registered against the accused RAVi bearing NO.35/2021, u/s 323/324/326 of IPC at P.S. Pojewal. In the end Ld.APP has prayed for dismissal of the application.

After hearing Ld. APP for the state and ld. defence counsel and after going through the documents on Judicial file this court is of the

considered opinion that the recovery has already been affected from the accused and substance recovered from accused is very small. Accused/applicant is in custody since 25.10.2021. Moreover, the accused/applicant is no more required for further investigation by the prosecution agency and presentation of challan and conclusion of trial will also take long time. Hence, bail application is allowed subject to following conditions:-

1. That he will not temper with the evidence.
2. That he will not leave the country without permission of the court. The accused will surrender his passport and produced receipt of the same on the file.
- 3 That he will present himself before the court as and when required.
4. That the accused will not commit an offence similar to the offence of which he is accused in the present case.
5. That the accused will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to the police officer.

Accordingly, applicant/accused be released/admitted to bail in the above said FIR on their furnishing bail bonds in the sum of Rs.1,00,000/- each with one surety in the like amount. Bail bonds not furnished. Papers be returned to the Ld. Concerend Court.

Date of order: 28.10.2021
(Rajesh Kumar)

(Balvinder Kaur Dhaliwal)
Sub Divisional Judicial Magistrate/Duty,
Balachaur
UID/PB-0286

