

**Order on bail application filed under Section 439 Cr.P.C
by accused No. 1.**

Bail application under Section 439 Cr.P.C filed by the accused No. 1 praying for releasing him on bail on the ground that this accused was on bail. He was absent on 11.01.2024, hence NBW was issued against this accused and on 31.05.2024 it was reported that this accused No. 1 is in judicial custody in Vijayawada Central Prison under UTP No. 6594. Therefore, this accused was produced before this court on 5.9.2024 and he was taken to custody. The accused No. 1 is ready to abide by any conditions imposed by this court. Hence prays for allowing the application on several other grounds.

2. The Public Prosecutor has filed objection to this petition narrating the charge sheet contents and stating that this accused has committed heinous offence and jumped from the bail and if he is released on bail, he will sell the ganja to public and prays for dismissing the application on several other grounds.

3. Heard both sides.

4. The points that arise for my consideration are:

1) Whether accused No. 1 has made out a ground to consider his bail application?

2) What order?

5. My findings to the above said points are as under:

Point No.1: In the Affirmative.

Point No.2: As per final order, for the following:

REASONS

6. **Point No.1:-** As per the charge sheet filed against this accused, it is alleged that on 04.12.2022 this accused along with other accused had brought ganja weighing 15 kgs 646 grams in a Santro car bearing No. MH-01/CA-6935 with an intention to sell the same and he was arrested by the Hubli Police near Hubli Chatnimath cross burial ground in a public road and thereby this accused along with other accused have committed offences punishable under Section 20(b)(ii)(B) of NDPS Act, 1985 and Section 120(B) of IPC.

7. On perusal of the entire order sheet of this court, it is clear that this accused No. 1 was released on bail as per the order dated 22.05.2023 by my predecessor in office. Thereafterwards this accused provided surety and he was released on bail. Later this accused did not appear before the court properly and NBW was issued against this accused and later this accused is sent to JC. Now the accused is ready to abide by any conditions imposed by this court. Therefore considering the same, I feel it necessary to release this accused on bail with conditions. Hence I answer point No. 1 in the affirmative.

8. **Point No.2:-** In view of answering point No. 1 in the affirmative, I pass the following:

ORDER

Bail application filed by the accused No.1 under Section 439 Cr.P.C is allowed.

The accused No.1 is ordered to be released on bail, on the following conditions.

- 1) The accused No.1 has to execute personal bond for a sum of Rs.1,00,000/- along with two sureties for the likesum to the satisfaction of the concerned Court.
- 2) The accused No.1 shall appear before the court properly on all the dates of hearing in order to enable the court to dispose of the case as early as possible.
- 3) The accused No.1 shall not tamper any of the prosecution witnesses.
- 4) The accused No.1 shall not repeat the offences again.

(Order dictated to A1 Adalat software directly on computer in the open court on this 31st day of July, 2025 and thereafterwards the same is corrected by Stenographer Gr-I, then the print out verified and signed by me)

**PRL. DISTRICT & SESSIONS JUDGE,
DHARWAD.**

KADW010006852023



**IN THE COURT OF PRL. DISTRICT & SESSIONS JUDGE,
DHARWAD.**

DATED THIS 31st DAY OF JULY, 2025.

PRESENT
SMT. B.S.BHARATHI
B.Sc., LL.B.
PRL. DISTRICT & SESSIONS JUDGE, DHARWAD.

Spl. NDPS CC No. 08/2023

Complainant:

State by Sub Urban Police Station, Hubballi.

(Rep. by Public Prosecutor, Dharwad)

V/s

Accused No.1.

Anant Vamarao Thavare
Age 45 years,
R/o. Behind Kulkarni Eye Hospital
Paranda, Dist: Usmanabad, Maharashtra.

(Rep. by Sri. C.A.Murashilli, Advocate)