

ORDER ON BAIL APPLICATION OF A.4

This bail application is filed under Section 439 of Cr.P.C by accused No.4 paying for enlarging him on regular bail in this case registered against him and others for the offence punishable under Section 20(b)(ii)(B) of NDPS Act 1985.

2. According to accused No.4, the complainant Police have filed false case against him and others for the offence punishable under Section 20(b)(ii)(B) of NDPS Act and arrested him. He is innocent and he is ready to abide by any conditions imposed by this court. Hence prays for allowing the bail application on several other grounds.

3. The learned Public Prosecutor has filed objection to the bail application narrating the complaint averments and stating that the offence alleged is heinous in nature and if the accused is released on bail, it is likely that he may commit similar type of offence or tamper the witnesses and hence prays for rejecting the bail application on several other grounds.

4. Heard both the sides.

5. Basing on the above said facts, following points that arise for my consideration are:

- 1) Whether accused No.4 is entitled for bail as sought?
- 2) What order?

6. 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

7. **Point No.1:-** As per the charge sheet, this accused along with others were selling Ganja near Leprosy Hospital, Hubli and on 21.05.2023 at 11.45 p.m. This accused along with others were caught and the concerned police have seized Ganja weighing 1 kg 53 grams worth ₹.10,000/- from this accused and others and thereafter case in Crime No. 109/2023 is registered against the accused for the above said offence.

8. In this case all other accused are already on bail. Therefore considering the same, I feel it necessary to enlarge this accused No. 4 also on bail with conditions. Hence, I answer point No. 1 in the affirmative.

9. **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.4 under Section 439 Cr.P.C is allowed.

The accused No.4 is ordered to be released on bail, on the following conditions.

1) The accused No.4 has to execute personal bond for a sum of Rs.1,00,000/- along with two local sureties for the likesum to the satisfaction of the concerned Court.

2) The accused No.4 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.4 shall not tamper any of the prosecution witnesses.

4) The accused No.4 shall not repeat the offences again.

(Order dictated to A1 Adalat software directly on computer in the open court on this 21st day of August, 2025, thereafterwards the same is corrected by Stenographer Gr-I, then the print out verified and signed by me)

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