

**In the Court of Dr. Gopal Arora, Judge, Special Court,
Hoshiarpur. (UID No.PB-0194).**

B.A. No. 1852 of 2021
CNR No.PBHO01-004981-2021
Date of Order: 4.8.2021

Raj Kumar @ Raju aged 32 years son of Vir Singh resident of Purana Bhangala Tehsil Mukerian Distt. Hoshiarpur.

.....Applicant-accused.

Versus

State of Punjab.

.....Respondent.

FIR No.148 dated 28.7.2021
U/s 15 of ND&PS Act.
P.S: Mukerian Distt. Hoshiarpur.

‘First application for regular bail U/s 439 Cr.PC’

Present: Sh Sahib Singh Advocate counsel for applicant-accused.
Shri Gurpreet Singh, Additional PP for the State.

ORDER:

This order of mine shall dispose of an application filed by applicant/accused Raj Kumar @ Raju for grant of regular bail in FIR No. 148 dated 28.7.2021 under Section 15 of The Narcotic Drugs and Psychotropic Substances Act, 1985 (in short ‘ND&PS Act’), pertaining to Police Station Mukerian, Distt. Hoshiarpur.

2. The learned counsel for applicant-accused has argued that accused was allegedly found in possession of 2 kgs 600 grams poppy husk. He is in custody since 28.7.2021 and nothing is to be recovered from him. The presentation of challan and conclusion of trial shall take sufficient long time. So, it is prayed that applicant-accused be released on bail.

3. On the other hand the learned Addl. PP for the State has opposed the bail application on the ground that the recovery of narcotic is

serious offence. As such there are chances that accused may flee from the justice in case he is granted bail.

4. I have heard the arguments advanced by Learned Counsel for the applicant as well as learned Additional PP for the State and also perused the file. In this case 2 kgs 600 grams poppy husk alleged to have been recovered from the bag carried by the applicant-accused. The recovery effected from accused falls under non-commercial category. The applicant-accused is in judicial custody since 28.7.2021 and nothing is to be recovered from the accused at this stage. The presentation of challan and conclusion of trial shall take sufficient long time and no useful purpose would be served by keeping the accused in custody. The allegations against the accused are yet to be ascertained by leading evidence. As such the present application is allowed and the applicant-accused is ordered to be released on bail on his furnishing bail bonds in the sum of Rs. 25,000/- with one surety of the like amount, with the conditions that he will appear in the court on each and every date of hearing, he shall not induce or threat the prosecution witnesses and shall not leave the country without prior permission of the court. File of bail application be attached with the remand papers.

Announced in open Court:
Dated: 4.8.2021.

Kulvinder JW
(Direct dictation)

(Dr. Gopal Arora),
Judge, Special Court,
Hoshiarpur (UID No.PB-0194).

Raj Kumar @ Raju Versus State.

Present: Sh Sahib Singh advocate counsel for applicant-accused.
Shri Gurpreet Singh, Additional PP for the State.

Arguments heard. Vide my separate detailed order of even date,
the regular bail application filed by accused/applicant has been allowed. File
of bail application be attached with the remand papers.

Announced in open Court:

Dated: 4.8.2021.

Kulvinder JW

(Dr. Gopal Arora),
Judge, Special Court,
Hoshiarpur (UID No.PB-0194).