

IN THE COURT OF KULDIP KUMAR KAREER, JUDGE SPECIAL COURT, LUDHIANA. UID NO.PB0042.

BA No. 8 of 5.1.2018.
Case No. BA/182/2018.
Date of Order: 11.01.2018

State

Versus

Amarjit Singh , aged about 45 years son of Sh. Charan Singh , resident of village Mallah, P.S.Hathoor, Tehil Jagraon District Ludhiana.

.....Accused/Applicant.

FIR No.275 dated 23.11.2017.

U/s 18/25/29/61/85 NDPS Act

P.S. Hathoor

Application Under Section 439 Cr.P.C.

Present: Sh. Inderjit S Bhanohar, Advocate, counsel for the
accused/applicant.
Sh. Dinesh Kumar Addl.P.P.for the State.

ORDER :-

1. This order shall dispose of bail application U/s 439 Cr.P.C filed by applicant/accused, in case FIR no. 275 dated 23.11.2017, under section 18/25/29/61/85 NDPS Act, P.S. Hathoor
2. Upon notice, learned Addl.P.P for the State appeared, but no reply has been filed.
3. Police record has been perused and the arguments advanced by the learned counsel for the applicant/accused and learned Addl.P.P for the State have been heard.
4. Perusal of the police record reveals that as per the allegations

in the FIR on 23.11.2017 the accused was arrested by the police party headed by Inspector Rajesh Sharma and recovery of 1kg of opium was effected from the conscious possession of the accused.

5. The accused is in custody since 23.11.2017. Prima facie it appears to be recovery of non commercial quantity . The presentation of the challan and conclusion of the trial will take a long time. Criminality of the accused, if any, shall be determined at the time of trial. No useful purpose will be served by detaining the accused in judicial custody for an indefinite period. In these circumstances, it would be appropriate if concession of regular bail is granted to the accused/applicant.

6. As a result of above discussion the application is allowed and the accused Amarjit Singh is hereby ordered to be released on bail on furnishing bail bonds in the sum of Rs.50,000/- with one surety to the like amount, subject to the condition that he will not temper with prosecution evidence and shall not leave the territory of India till the conclusion of the trial. Police record be returned. Requisite bail bonds not furnished. These papers are ordered to be attached with the FIR of the present matter.

Announced in open court
on:- 11.01.2018

Deepak Spal, Stg-II

(Kuldip Kumar Kareer),
Judge Special Court,
Ludhiana. UID No.PB0042.