

**IN THE COURT OF MS PALWINDER JIT KAUR,
JUDGE, SPECIAL COURT, PATIALA**

BA No. 178 of 2021
CNR No. PBPT0100-0615-2021
Decided on: 21.01.2021

Jora Singh aged about 33 years son of Nishan Singh, resident of village Khang, Patran, District Patiala.

-----Applicant/accused

Versus

State of Punjab

FIR No 434 dated 26.12.2020
U/s 15/61/85 of NDPS Act.
Police Station Patran.

Application for bail under Section 439 Cr. PC.

Present: Sh. Harish Ahuja Advocate, counsel for applicant
Sh. Harminder Singh, Addl. PP for the State with ASI Baljinder Kumar.

ORDER:

1. The accused/applicant has filed the present application under Section 439 Cr.P.C for grant of bail in the matter of the FIR aforementioned.
2. Learned counsel for accused has argued that prima-facie no case is made out against the applicant and the applicant is falsely involved in the present case at the instance of opposite political party. The applicant was illegally taken by the police from his house and detained in illegal custody and later on false case was planted upon him. Nothing was recovered from the applicant. The applicant is in custody since 26.12.2020 and is not required by the police for any purpose. The applicant undertakes to abide by the conditions, if imposed by this Court. Thus, he may kindly be granted bail.
3. Upon notice, learned PP for the State appeared with ASI

Baljinder Kumar who produced the record.

4. This Court has heard the learned counsel for the applicant, learned PP for the State and perused the record as well as considered the submissions made.

5. As per prosecution version, 7 Kg of poppy husk was recovered from the accused on 26.12.2020 which is non-commercial quantity and since then he is in custody. Completion of investigation, presentation of challan and conclusion of trial will take long time, whereas no useful purpose would be served by keeping the applicant in custody.

6. Keeping in view of the above facts and circumstances of the case, bail application is allowed and the accused/applicant is ordered to be released on regular bail on his furnishing bail bond in the sum of Rs.50,000/- (Fifty Thousand only) with one surety in the like amount subject to the following conditions:-

- 1. That the applicant shall not leave the country without the prior permission of the Court;*
- 2. That the applicant shall not threaten the witnesses or tamper with the prosecution evidence in any manner;*
- 3. That the applicant shall regularly attend the hearings before the trial Court.*

7. In case the applicant mis-use the concession of bail by absenting from the proceedings without any sufficient and reasonable cause, this bail order shall be cancelled. Police record be returned and bail application file be attached with the remand papers.

Pronounced in open Court,
On 21.01.2021.

Typed by: Sanjay Jain Stenographer-I

(Palwinder Jit Kaur)
Judge, Special Court, Patiala.
UID NO. PB0187