

**IN THE COURT OF SH.SHIV MOHAN GARG,
JUDGE, SPECIAL COURT, PATIALA
(UID no.PB0164)**

B.A. CIS no.178 of 20.1.2022
CNR No. PBPT01-000609-2022
Decided on 25.1.2022

Syed Rashid Ali, aged about 57 years son of Syed Gulam Mustfa,
resident of Taskaria Mohalla, near old Committee, Ward no.29,
Malerkotla, District Malerkotla.

... Applicant-accused
Versus

State of Punjab

... Respondent

FIR no. 156 dated 16.12.2021
Under Section 18 NDPS Act
PS Bhadson, Patiala

Bail Application under Section 439 Cr.P.C.

Present: Sh. D.K.Jain, Advocate, counsel for the accused-
applicant
Sh. Deepinder Singh Addl. PP for the State
through video conferencing/whatsapp video call

ORDER

1. Applicant-accused has sought regular bail in FIR no. 156 dated 16.12.2021 under Section 18 NDPS Act, PS Bhadson, Patiala
2. Notice was given to the State through Addl.PP who appeared and contested the bail application. Police record received.
3. As per prosecution version, on 16.12.2021, police of Police Post Dandrala Dhindsa, P.S.Bhadson, Patiala, on the basis of secret information, arrested applicant-accused at Birdhano Head and from the

steel container carried by applicant-accused on motorcycle bearing registration no. PB 13AD 7828 polythene containing 1.5 kg opium was recovered. FIR was registered. Applicant-accused was arrested.

4. It is argued that applicant-accused is innocent. He has not committed any offence. The alleged recovery is planted. Moreover, the same falls in non commercial quantity. Applicant is in custody since 16.12.2021. Conclusion of investigation and presentation of challan is likely to take some time. Prayer is made that applicant be released on bail.

5. Whereas, learned Addl.PP for the State has opposed the bail application.

6. Heard and considered. Record perused. As per record on 16.12.2021 1.5 kg opium was recovered from applicant-accused. It does not fall in commercial quantity. Conclusion of investigation, presentation of challan and trial is likely to take time.

7. The bail application is, thus, allowed and applicant-accused is ordered to be released on bail on his furnishing bail bonds in the sum of Rs. 50,000/- with one surety in the like amount, to the satisfaction of Ilqa/duty Magistrate, subject to the following conditions:

1. That the accused shall not tamper with prosecution evidence;
2. That the accused shall not leave the country without prior permission of the Court;

3. That the accused shall appear in the court on each and every date hearing.

Papers be attached with the remand papers.

Pronounced.
25.1.2022

(Shiv Mohan Garg)
Judge, Special Court
Patiala. (UID No.PB0164)

Ravinder Kaur
Stenographer-I