

In the Court of Ms. Gurdarshan Kaur Dhaliwal.
Judge, Special Court, Kapurthala

CNR No.PBKP010046352018
BA No.1727 of 10.09.2018
FIR No.204 dated 30.08.2018
U/s 15/61/85 NDPS Act
P.S. Kotwali, District Kapurthala,

Decided on: 25.09.2018

Manjit Singh @ Bunga son of Atma Singh, aged about 61 years R/o
Village Nangal Lubana, Tehsil Bholath, District Kapurthala.

....Applicant/accused.

Versus

State of Punjab

....Respondent

Application for interim bail

Present:- Sh. Lakhbir Singh, Advocate-for the applicant-accused.
Smt. Aarti Mehta, ld. Addl. P.P. for the State

ORDER

1) The applicant/accused Manjit Singh @ Bunga has filed the present bail application under Section 439 CrPC in case FIR No.204 of 30.08.2018, under Section 15/61/85 of NDPS Act, P.S Kotwali, District Kapurthala.

2) Learned counsel for the applicant-accused has contended that police of PS Kotwali, District Kapurthala has registered a false case against the applicant-accused although the applicant has nothing to do with the commission of any alleged crime and that the applicant-accused is in judicial custody since 30.08.2018. On these assertions he has prayed for grant of regular bail.

3) Learned Addl.P.P for the State has opposed the bail application and has submitted that grave and serious allegations have been levelled against the applicant-accused. On these assertions, she has prayed for dismissal of the bail application.

4) I have heard learned counsel for applicant-accused, learned Addl.P.P for the State and have also gone through the record very carefully.

5) Applicant-accused has allegedly been found in conscious possession of 6 KG of Poppy Husk recovered from applicant-accused falls in the category of non-commercial quantity. The applicant/accused is in custody since 30.08.2018. Criminal liability of the accused can be ascertained only after conclusion of the evidence. Presentation of challan and then conclusion of trial is likely to take sufficient time. No useful purpose would be served by detaining the accused behind bars. Rather, it will be burden on the State Exchequer. So, without commenting upon the merits of the main case, the applicant-accused Manjit Singh @ Bunga is ordered to be released on bail on his furnishing personal bail bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of Illaqa Magistrate/Duty Magistrate and on the following conditions:-

- 1) That he will not tamper with the prosecution evidence;
2. That he will appear in the court on each and every date of hearing to be fixed in the trial;
3. That he will not leave the territory of India without prior permission of the Court;

4. That he will surrender his passport in the Court if any.

In case he is not possessing any passport, then he will furnish an affidavit to this effect.

6) Copy of this order be sent to the Court of concerned Illaqa/Duty Magistrate, for compliance. Bail application file be attached with the remand papers.

Pronounced in open Court
Dt.25.09.2018
(Rakesh)

(Gurdarshan Kaur Dhaliwal),
Judge Special Court,
Kapurthala (UID No.PB0146)

Manjit Singh @ Bunga Vs. State

CNR No.PBKP010046352018

Bail application No.1727 of 10.09.2018

Present: Sh. Lakhbir Singh, Advocate, for applicant/accused.
Smt. Aarti Mehta, Ld. Additional PP for the State.

Arguments heard on the bail application. Vide my separate
and detailed order of even date, the bail application has been allowed.

Bail application file be attached with the remand papers.

Pronounced in open Court
Dt.25.09.2018
(Rakesh)

(Gurdarshan Kaur Dhaliwal),
Judge Special Court,
Kapurthala (UID No.PB0146)

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