

**In the court of Shri Vijay Kumar, Judge, Special Court, Fazilka.
UID No.PB0154.**

B.A. No. 1715/2018.
CNR No: PBFZC0-005047-2018.
Date of Filing: 21.11.2018.
Date of Order: 04.12.2018.

Om Parkash @ Goma aged about 42 years son of Sugla Ram resident of
Abohar Tehsil Abohar District Fazilka.

.....Accused/applicant.

Versus

State of Punjab

... Respondent.

FIR No. 187 dated 05.11.2018,
U/s 15 of NDPS Act,
Police Station: City-I, Abohar.

[Bail application U/s 439 of Cr.P.C.]

Present: Shri Pawan Upneja, counsel for applicant/accused.
Shri Wazir Kamboj, Addl. PP for the State.

ORDER:

1. Om Parkash @ Goma had filed the present bail application in
FIR No. 187 dated 05.11.2018 registered at police station, City-I Abohar
under section 15 of NDPS Act for releasing him on bail.
2. Brief facts of the bail application are that applicant had not
committed any offence. Applicant further stated that he undertakes to abide
by all the terms and conditions to be imposed by this court. Hence, prayed
that he be admitted to bail.
3. Upon notice Learned Addl. PP appeared on behalf of State and
contested the bail application. Learned Addl. PP argued that on 05.11.2018,
10 kg. chura of poppy husk was recovered from the possession of accused.

Hence, prayed that accused is not entitled for bail.

4. I have heard learned counsel for the applicant/accused, Addl. PP for the State and have carefully gone through the records of the case.

5. Present FIR No. 187 dated 05.11.2018 was registered against applicant Om Parkash @ Goma at police station, City-I, Abohar under section 15 of NDPS Act. Present case was registered against the accused on the ground that on 05.11.2018 in the area of police station City-I, Abohar, 10 kg. Poppy husk was recovered from the possession of accused. Applicant/accused was arrested in this case on 05.11.2018 and since then, he is in judicial custody. As the alleged recovery falls under non-commercial category, so no useful purpose will be served by detaining accused/applicant behind bars for an indefinite period. Hence, accused/applicant Om Parkash @ Goma is admitted to bail on his furnishing bail bonds in the sum of Rs. 20,000/- with one surety in the like amount, subject to the following conditions:-

(a) that he will not tamper with the prosecution evidence and will not offer any threat, promise or inducement, directly or indirectly to any of the person acquainted with the facts of the case, dissuading them from disclosing the same to the court/investigating agency;

(b) that he will not leave the limits of this country without prior permission of the court.

Bail application file be consigned to the Record Room.

Sd/-

Pronounced in open court.

Dt. 04.12.2018.

'Bhola Shankar'

'Stenographer Gr. I'

(Vijay Kumar)

Judge, Special Court.

Fazilka.

UID No: PB0154