

*In the Court of Sh. Amar Paul, Judge Special Court,
Gurdaspur. UID No.PB0450(Being Judge on Duty)*

Bail Application No.520 of 31.05.2022

Date of Order 08.06.2022

CNR No. PBGD01-003973-2021 **CIS No. BA-1692-2022**

Bagh Hussian @ Sonu son of Manga, resident of Bahadur Hussain
Loriwal, Tehsil Batala, District Gurdaspur.

.... Applicant/Accused

Versus

State of Punjab

... Respondent

FIR No.122 dated 20.05.2022

Under Sections 21-61-85 of NDPS Act

Police Station Civil Lines Batala

First Bail Application U/S 439 Cr.P.C.

Present: Sh. Karanjit Singh, Advocate, for applicant-accused.
Sh. Kiran Kumar, Additional PP for the State.

ORDER

1. Bail application put up before the undersigned being Judge on Duty during summer vacation as the learned Presiding Officer is availing summer vacation.

2. Heard on regular bail filed by the applicant under section 439 Cr.P.C.

3. Notice of the bail application was given to the Addl. PP for the State who opposed the bail application and prayed for dismissal of the bail application.

4. Police record was called which has been received and perused.

5. Heard. Considered. In this case as per FIR on dated 20.05.2022 police on the basis of suspicion apprehended Bagh Hussain @ Sonu who was driving the motorcycle Splendor without number on which Mohammad Din was sitting as pillion rider and from the envelope belonging to Bagh Hussain 20 gms Heroin was recovered which was taken into police possession. Both the accused persons were arrested.

6. During interrogation Bagh Husain confessed that the alleged recovered Heroin was purchased by him from one Habib and accordingly vide GD No. 57 dated 20.05.2022 Habib was nominated as accused in this case by adding offence under section 29 of NDPS Act.

7. Recovery in this case has already been effected which is total 20 gms heroine. Applicant is in custody since arrest dated 20.05.2022. Total recovery involved in this case i.e. 20 gms heroine which is minor more than small quantity and greater less than commercial quantity. Chemical report is yet to be awaited, which will take time. Presentation of challan and conclusion of trial will also take time. In the meantime, no purpose shall be served for further detention of the applicant behind the bars for indefinite period. Hence, bail application of applicant is allowed. Applicant is directed to furnish the bail bond in the sum of Rs. 20,000/- with one surety in the like amount to the satisfaction of this court subject to the conditions that applicant shall appear in the

court on each date of hearing fixed by this court in time and not to leave India without prior permission of this court and not to temper with prosecution witnesses or not to threat and induce the witnesses. It is made clear that if at any later stage in this case it came on record that the case of the applicant falls under the provisions of section 37 of NDPS Act, then this order granting bail to the applicant shall automatically be considered vacated and applicant would be liable to surrender before this court. Police record be returned. Papers be attached with the remand papers and immediately be sent to the concerned court.

Pronounced in open court
Dated: 08.06.2022
Shiv Kumar Stenographer Gr.1

(Amar Paul),
Judge Special Court,
Gurdaspur. UID No. PB0450
(Judge on Duty)

CNR No. PBGD01-003973-2021 **CIS No. BA-1692-2022**

Bagh Hussain @ Sonu Vs. State of Punjab

Present:- Sh. Karanjit Singh, Advocate, counsel for the
 applicant.
 Sh. Kiran Kumar, Addl. PP for the State.

Bail application put up before the undersigned being Judge on Duty during summer vacation as the learned Presiding Officer of the concerned court is availing summer vacation. Police record has been received and perused. Arguments heard. Vide my separate detailed order of even date, the present bail application is allowed. Police record be returned. Papers be attached with the remand papers and immediately be sent to the concerned court.

Pronounced in open court
Dated: 08.06.2022.
Shiv Kumar Stenographer Gr.1

(Amar Paul),
Judge Special Court
Gurdaspur. UID No. PB0450
(Judge on Duty).