

Present:Sh.PK Sharma, Advocate for applicant/accused.
Sh.Manjeet Kumar, Additional Public Prosecutor for the State.

ORDER:

This order will dispose of bail application under Section 483 BNSS filed by applicant/accused Rohit Kumar, in case FIR No.87, dated 27.10.2024, under Sections 22 and 29 of NDPS Act, PS, Aur.

2. Learned counsel appearing on behalf of applicant/accused has submitted that applicant/accused is innocent and has been falsely implicated in this case. Applicant/accused is in custody since 27.10.2024. The alleged recovery stand already effected and applicant is no more required for any further investigation. Learned counsel for applicant/accused has further submitted that presentation of challan and conclusion of trial may take long time and no useful purpose would be served by detaining the applicant/accused behind bar any more. Lastly, prayer has been made for granting bail to the applicant/accused.

3. Whereas, on the other hand, learned Additional Public Prosecutor, appearing on behalf of State has opposed the bail application by submitting that 03 strips of intoxicating tablets, each strip containing 10 tablets, total 30 intoxicating tablets of Tramadol have been got recovered from the black colour bag, which was thrown by

applicant/accused. He has further submitted that total weight of these tablets comes out to be 11.89 grams. Though this quantity falls under the head “non-commercial” but the applicant/accused has not produced any licence/permit to possess this much quantity of the contraband and prayed that the same may be dismissed.

4. I have considered the rival submissions raised by learned counsel for applicant/accused, learned Additional Public Prosecutor and have gone through the entire record carefully.

5. As per the prosecution story, 30 intoxicating tablets of Tramadol were recovered from the black colour bag, which was thrown by the applicant/accused. As per the report of Forensic Science Laboratory, average weight of each tablet is 393 mg. The ingredients present in the said tablets is Tramadol Hydrochloride and total weight of these tablets comes out to be 11.89 grams. Said contraband allegedly recovered from the applicant/accused falls under the head ‘non-commercial quantity’. The applicant/accused is in custody since 27.10.2024. Presentation of challan and conclusion of trial may take long time and no useful purpose would be served by detaining the applicant/accused behind bar any more. Accordingly, without commenting on the merit of the case, bail application filed by applicant/accused is

allowed. Applicant/accused is ordered to be released on bail on furnishing
bail bonds in the sum of ₹75,000/- with one surety in the like amount.

Pronounced.
Dated:24.12.2024.

-Vinay-

Karunesh Kumar,
Judge (Special Court),
Shaheed Bhagat Singh Nagar.
(UID No.PB-0082)

Present: Sh. PK Sharma, Advocate for applicant/accused.
Sh. Manjeet Kumar, Additional Public Prosecutor for the State.

Report of FSL received, be placed on file. Arguments heard.

Vide my separate detailed order of even date, present bail application stands disposed of. Bail application file be consigned to record room.

Pronounced.
Dated: 24.12.2024.

-Vinay-

Karunesh Kumar,
Judge (Special Court),
Shaheed Bhagat Singh Nagar.
(UID No. PB-0082)