

PBGDA10015132019



Presented on : 23-04-2019
Registered on : 23-04-2019
Decided on : 24-04-2019
Duration : 0 years, 0 months, 1 days

FIR No.51 dated 22.08.2017
Under Section 21-61-85 NDPS Act
P.S. Qadian

Present: Sh. A.S.Kahlon, APP for the State
Sh. A.S.Abrol, Advocate counsel for accused-applicant

Heard on the bail application filed by accused/applicant Neetu Masih u/s 437 Cr.P.C., with the submissions that he was regularly appearing before this court, but due to unavoidable circumstances later on he could not appeared. It is submitted that accused has been produced in the court on 18.04.2019 through production warrant, as he is custody in some other case and due to this reason he got absented on some dates of hearing and due to non-appearance of accused-applicant, his non-bailable warrants were issued by this court. It is averred that no useful purpose would be served by keeping the accused-applicant behind bars. As such, learned counsel for accused/applicant has prayed for release of accused/applicant on bail.

Upon notice, learned APP for the State, appeared and opposed the bail application on the ground that accused has committed serious offence. As such prayer for dismissal of the present bail application has been made.

I have considered the contradictory versions of the contesting parties and have deliberated over the arguments advanced in the light of documents, peculiar facts and circumstances and submissions made.

Original file called received and perused. Perusal of file reveals that

perusal of which shows that the present accused Neetu Masih got absented in this case and he was ordered to be summoned through non-bailable warrant, which received back with the report that he is custody in some other case. Thus, it is clear that absence of accused-applicant does not appear to be intentional one. Accordingly, no useful purpose will be served by keeping the accused behind bars, rather it will be a burden on State Exchequer. Moreover, conclusion of trial in this case will take its own time. As such, the present bail application is hereby allowed and accused Neetu Masih is ordered to be released on bail on furnishing bail bonds in the sum of Rs. 50,000/- with one surety each in the like amount. Bail bonds and surety bonds not furnished. Papers be attached with the original file.

Pronounced in open Court :
Dated: 24.04.2019

(Shagun) PCS,
Judicial Magistrate Ist Class,
Batala. UID-PB0419.

Nitesh Kumar,
Stenographer-II