

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>3rd Short Term Bail Appl. No. 4179 of 2020 In CRLA No. 13 of 2020</p> <p><u>Hon'ble S.K. Mishra, J.</u> <u>Hon'ble R.C. Khulbe, J.</u></p> <p>Mr. Arvind Vashistha, the learned Senior Advocate assisted by Mr. Hemant, the learned counsel for the applicant/appellant..</p> <p>Mr. J.S. Virk, the learned Dy. Advocate General for the State.</p> <p>Heard the learned counsel for the parties on short term bail application.</p> <p>The short term bail application has been filed by the applicant Bhura Ansari, who has been convicted for the offence punishable under Sections 8/20(b)(11)(c) of the Narcotic Drugs and Psychotropic Substances Act and sentenced to twenty years rigorous imprisonment with fine of Rs. 2,00,000/- with default sentence by the court of learned Special Judge, NDPS Act, Dehradun, in Special Session Trial No. 140 of 2017.</p> <p>It is submitted by the learned Senior Counsel that the applicant's mother is suffering from psychiatric disorder and the other son has passed away in the meantime and nobody is there to look after the welfare or treatment of his mother.</p> <p>Mr. Shobhit Saharia, the learned counsel for the NCB would submit that he has instructions that mother of the applicant appeared before the Doon Medical College, Dehradun, as per the paper enclosed and she was given medicine for gastric and some vitamins, therefore, he would submit that applicant is not making out a case for short term bail.</p> <p>However, we see that the applicant's counsel has stated that the mother of the applicant is suffering from psychological</p>

disorder/ depression etc., and there is no refutal of the same by the NCB. The learned counsel appearing for the Board has also not stated that there is any reasonable possibility that he will abscond from the process of justice. It appears that as the appeal is being of the year 2020 and may not be taken for final disposal in the near future.

In that view of the matter, we are inclined to grant a short term bail to the applicant for a period of 45 days.

Let applicant-Bhura Ansari be released on short term bail for a period of 45 days, to be reckoned from the date of release, on suitable terms and conditions as deemed just and proper by the learned Special Judge, NDPS Act, Dehradun. On completion of bail period, from the date of release, he shall surrender before the learned trial court. On such an event, he shall be again sent back to the custody. In case he failed to do so, proper warrant shall be issued.

In addition to the condition imposed by the learned Special Judge, the following condition shall also be incorporated: -

- (i) The applicant shall report before the S.H.O. Police Station Manglore, District Haridwar once in a week for the period he is released on interim bail preferably on Monday in between 11:00 am to 12:30 pm and shall not misuse the liberty granted to him.

With such observations, the short term bail application stands disposed of.

Criminal appeal is ripe for hearing. List for final hearing in the first week of April 2023.

Grant certified copy as per Rules.

(R.C. Khulbe, J.)

(S.K. Mishra, J.)

26.08.2022

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