



1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.151 dated 12.09.2023 registered under Sections 15(C) NDPS Act, 1985 (added later on vide DDR No.18 dated 14.09.2023), at Police Station Nathana, District Bathinda.
2. Learned counsel for the petitioner contends that in the present case, during patrolling, the police apprehended Manpreet Singh @ Kala, Baljit Kumar @ Shelly and Gurjit Singh, while they were carrying 320 kgs of poppy husk, without any permit or license. He further submits that the petitioner was not initially named in the FIR and has been arrayed as an accused only on the basis of the statement made by co-accused in the present case. The petitioner was arrested on 03.10.2024 and no recovery was effected from him. Thus, his case was clearly distinguishable from the case of the three co-accused, who

were apprehended at the spot. He further contends that challan has already been presented against him and the trial is not likely to conclude in near future.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner was involved in one more case, however, he is in custody in the said case.

4. I have heard the learned counsel for the parties and perused the record carefully.

5. The police had initially apprehended three accused, while they were carrying 320 kgs of poppy husk in their conscious possession. However, the petitioner was nominated as an accused after about 02 days of the recovery. Moreover, no recovery was effected from the petitioner in the present case. The petitioner was arrested in one more case, however, he has already been granted the concession of anticipatory bail by the trial Court, vide order dated 27.04.2022.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

02.05.2025
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No