

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN  
JAIPUR BENCH, JAIPUR  
ORDER

S.B. Cr. Misc Bail Application No. 8128/2010  
Nand Kishor Vs State of Rajasthan through PP

30.8.2010

HON'BLE MR. JUSTICE MN BHANDARI

Present - None

BY THE COURT:

Perusal of the order passed by the court below dismissing the bail application it has been recorded that poppy straw has been recovered weighing 6 kg 300 grams thus higher then small quantity but less than the commercial quantity. Petitioner is behind bars for last so many days.

After considering aforesaid and without expressing any opinion on merits of the case, which may otherwise affect outcome of the trial, looking to the facts of this case, I am of the view that petitioner deserves to be enlarged on bail.

Accordingly, the bail application is accepted and it is directed that accused-petitioner namely; Nand Kishor may be enlarged on bail under section 439 CrPC in FIR No. 128/2010 registered at Police Station – Bapacha, Baran for offence under Section/s 8/15 NDPS Act provided, he furnishes a personal bond in the sum of Rs.50,000/- together with one surety in the like

amount to the satisfaction of learned trial Court for his appearance before that Court on all subsequent dates of hearing and as and when called upon to do so.

It is, however, made clear that if the petitioner is found committing same or similar offence or any other type of offence during the period of bail then not only the prosecution would be at liberty to seek cancellation of this bail order but the Investigating Officer is also directed to inform about the same to this court if any case is registered. Copy of this order may be sent to the Investigating Officer concerned for necessary information and compliance if so required.

(MN BHANDARI), J.

bnsharma