

Hon'ble U.C. Dhyani, J.

Mr.D.N.Sharma, Advocate, present for the applicant.

Mr. Prem Kaushal and Mr. N.S. Kanyal, Brief Holders, present for the State/respondent.

Applicant Veer Singh seeks bail in connection with F.I.R No. 21 of 2016, under Sections 8/8/20 Narcotic Drugs and Psychotropic Substances Act, Police Station Jhankaia, District Udham Singh Nagar.

Heard learned counsel for the parties, perused the documents on record and considered the grounds taken up in the bail application.

2 Kg. and 110 gms of *opium* was allegedly recovered from the possession of the accused-applicant on 28.05.2016. Learned counsel for the applicant submitted that the commercial quantity of opium starts from 2.5 Kg. and only 2 Kg. and 110 gms. of opium was recovered from the applicant. The applicant is not a previous convict. Learned counsel for the applicant further submitted that many mandatory provisions of the NDPS Act have been observed by breach. He further submitted that the applicant is ready to furnish reliable sureties to the satisfaction of Special Judge concerned, if he is granted bail. Co-accused Kuldeep Singh has been granted bail by this Court *vide* order dated 30.01.2017.

Considering the over all conspectus of things, as also the grounds taken up in the bail application, this Court is of the opinion that the applicant should be granted bail on the ground of parity.

Bail application is allowed. Let the applicant be enlarged on bail on his executing a personal bond and furnishing two reliable sureties of the like amount to the satisfaction of the Magistrate concerned.

If at any point of time, it is found that the applicant is misusing the bail, learned court below shall be at liberty to cancel his bail in accordance with law.

(U.C. Dhyani, J.)
Vacation Judge