

Received On : 03.08.2023

Registered On: 03.08.2023

Decided On : 05.08.2023

Duration : YY MM DD

**IN THE COURT OF 3rd ADDITIONAL SESSIONS JUDGE AND
SPECIAL NDPS JUDGE, SURAT**

CRMA 6146 OF 2023

**Applicant/Accused: CHITRA @ CHITRASEN VRUNDAVAN
PARIDA**

Aged: 39 Years, Occupation: Contractor,

Residing at: House No. 43, Shantinagar

Zhupadpatti, Old GIDC Katargam, Surat.

Presently Lajpore Jail, Surat

VERSUS

Opponent : The State of Gujarat

SUB: APPLICATION FOR TEMPORARY BAIL

Appearance:

Learned Counsel for the Applicant Mr. H N Patil

Learned APP for the State Mr. T A Pancholi

::JUDGEMENT::

1. The present bail application has been filed under Section 439 of Cr.P.C. for grant of interim bail to the applicant in Katargam Police Station C R No.III 384/2009 under sections 8(c), 22(c) and 29 of NDPS Act. The

applicant was arrested, produced before the Ld. Trial Court, where further Police custody granted on completion of which applicant was again produced before Ld. Trial Court and at present he is in judicial custody. It is submitted by the Ld. Advocate of the applicant that, the applicant has the responsibility of family, the economic condition of applicant's family is bad and applicant has to sell his house and make financial arrangement for the daily expenses of the family, hence, the applicant prays to be released on temporary bail of 30 days for financial assistance to family.

2. On service of notice, the State Government has remained present through Ld. APP and produced report of the investigating officer regarding the application. It is argued that the applicant is arrested in Katargam Police Station C R No.III 384/2009 under sections 8(c), 22(c) and 29 of NDPS Act and there is prima facie case against the applicant for offence involving commercial quantity of muddamal. If the application is allowed the applicant is likely to abscond and not remain present during trial. Hence, the present application is prayed to be rejected.

3. I have heard the Ld. Advocates for the parties. I have read the application, police report, documents produced by parties and the case record. It transpires that, the applicant is arrested in Katargam Police Station C R No.III 384/2009 under sections 8(c), 22(c) and 29 of NDPS Act and there is prima facie case against the applicant for offence involving commercial quantity of muddamal. The Ld. Advocate for the applicant submits that the applicant has the responsibility of family, the economic condition of applicant's family is bad and applicant has to sell his house and make financial arrangement for the daily expenses of the family, hence, the applicant prays to be released on temporary bail of 30 days for financial assistance to family. Looking to the case record the applicant has produced

FIR, Aadhar card of the applicant's wife, Children and ROR Fee Receipt of applicant's property at Ex 3 List of document. The applicant has not produced any details regarding the economic condition of family alongwith the application. Hence, in absence of necessary details and looking to the case record, there appears no satisfactory reason for release of the applicant. Hence, the following order is passed in the larger interest of justice.

:: O R D E R ::

The present Application is hereby rejected.

Signed and pronounced in the open Court today on this 5th day of August, 2023

Date 05/08/2023
Place Surat

(Kruti Sanjay Trivedi)
3rd Additional District and
Sessions Judge, Surat.
UIC GJ00617