

(i) NDPS Act, S. 37 - To check the menace of dangerous drugs flooding the market, the Parliament has provided that the person accused of offences under the NDPS Act should not be released on bail during trial unless mandatory conditions provided in Section 37, namely,

- (i) there are reasonable grounds for believing that accused is not guilty of such offence; and
- (ii) that he is not likely to commit while on bail are satisfied.

The High Court has not given any justifiable reason for not abiding by the aforesaid mandate while ordering the release of the respondent accused on bail. Instead of attempting to take a holistic view of the harmful socio-economic consequences and health hazards which would accompany trafficking illegally in the dangerous drugs, the Court should implement the law in the spirit with which the Parliament, after due deliberation, has amended.

(ii) NDPS Act, S. 37 - Bail - It can be granted in case where there are reasonable grounds for believing that accused is not guilty of such offence and that he is not likely to commit any offence while on bail. It is the mandate of the legislature while is required to be followed.

read HERE [Union of India v. Ram Samujh, 1999 PLRonline 0001](#)