

(2021) 03 MP CK 0034

In the Madhya Pradesh High Court

Case No : Miscellaneous Petition No. 12673 Of 2021

Achhelal @ Gulab Mahto

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 08-03-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 437(3) 439

Narcotic Drugs And Psychotropic Substances Act, 1985 — Section 8, 20

Citation : (2021) 03 MP CK 0034

Hon'ble Judges : Anjuli Palo, J

Bench : Single Bench

Advocate : B.K. Mishra, Nalini Gurang

Final Decision : Allowed

Judgement

Anjuli Palo, J

This is first bail application under Section 439 of the Cr.P.C. filed on behalf of the applicant, who is in custody since 17.02.2021 in connection with

Crime No.61/2021 registered at Police Station Amlai, District Shahdol for offence punishable under Section 8/20 of the Narcotic Drugs and

Psychotropic Substances Act, 1985.

It is alleged that 4.400 kgms of contraband material (ganja) has been seized from the possession of the applicant.

Learned counsel for the applicant submits that the applicant has been falsely implicated in the case. He has no criminal antecedent under the NDPS

Act. The applicant is in custody since 17.02.2021 and trial would take considerable time to conclude. In view of the aforesaid, prayer is made to

enlarge the applicant on regular bail.

Learned Panel Lawyer for the State has strongly opposed the bail application.

Considering the facts and circumstances of the case, without commenting upon the merits of the case, this application is allowed.

It is directed that applicant - Achhelal @ Gulab Mahto be released on bail on furnishing a personal bond in the sum of Rs. 50,000/- (Rupees Fifty

Thousand only) with one solvent surety, in the like amount to the satisfaction of the concerned trial Court for his appearance on the dates so fixed by

that Court during trial.

If the applicant is found involved in similar offence in future, this order of bail shall stand ineffective. The applicant shall comply with the provisions of

Section 437 (3) of the Cr.P.C.

Accordingly, the application is allowed and disposed of.