

(2023) 08 MP CK 0138

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No. 38261 Of 2023

Bablu Mahanand @ Bablu Nanda And Others

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 28-08-2023

Acts Referred:

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

Narcotic Drugs And Psychotropic Substances Act, 1985 — Section 8, 15, 20

Citation : (2023) 08 MP CK 0138

Hon'ble Judges : Anuradha Shukla, J

Bench : Single Bench

Advocate : Jeetendra K. Chaurasiya, Ranjana Agnihotri

Final Decision : Allowed/Disposed Of

Judgement

Anuradha Shukla, J

This is first bail application filed by the applicants under Section 439 of the Code of Criminal Procedure for grant of regular bail relating to FIR/Crime No.264/2023 dated 13.04.2023 registered at Police Station Kotwali, District Panna for the offence under Sections 8/20 and 15 of NDPS Act.

Learned counsel for applicants has submitted that the applicants are innocent and have been falsely implicated in the case. He further submits that the applicants are in custody since 13.04.2023 and the trial would take considerable time to conclude. The applicants are permanent residents of the district and there is no likelihood of their absconding or tampering with prosecution evidence. They are ready to furnish adequate surety and shall abide by all the conditions to be imposed by the Court. On these grounds, the applicants may be enlarged on bail.

Learned counsel for the State has opposed the bail application.

Heard learned counsel for the parties and perused the case diary.

According to prosecution, 21 kgs of Ganja was seized from the join possession of applicants.

Looking to the proceedings conducted regarding seizure and taking the samples of contraband, this Court finds it to be a fit case to release the applicants on bail, therefore, without commenting on the merit of the case and on grounds of parity, the application is allowed.

It is directed that the applicants shall be released on bail on their furnishing a personal bond in a sum of Rs.50,000/- (Rupees Fifty Thousand Only) each with one surety in the like amount each to the satisfaction of the trial Court concerned for their appearance before the said Court on all such dates as may be fixed in this regard during the pendency of trial.

It is further directed that the applicants shall comply with the provisions of Section 437(3) of the Cr.P.C.

Accordingly, this M.Cr.C. stands allowed and disposed of.