
(2021) 10 RAJ CK 0067

In the Rajasthan High Court

Case No : S.B. Criminal Miscellaneous Bail Application No. 10423 Of 2021

Mangi Lal S/O Sh. Kalu Ram Gurjar

APPELLANT

Vs

State Of Rajasthan

RESPONDENT

Date of Decision : 23-10-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 438

Narcotic Drugs And Psychotropic Substances Act, 1985 — Section 8, 18, 29

Citation : (2021) 10 RAJ CK 0067

Hon'ble Judges : Sandeep Mehta, J

Bench : Single Bench

Advocate : B. Ray Bishnoi, Mahipal Bishno

Final Decision : Dismissed

Judgement

Sandeep Mehta, J

This anticipatory bail application under Section 438 CrPC has been filed by the petitioner Mangi Lal S/o Kalu Ram Gurjar apprehending his arrest in connection with F.I.R. No.109/2020 registered at the Police Station Bassi, District Chittorgarh for the offences under Sections 8/18 and 8/29 of the NDPS Act.

Heard learned counsel for the petitioner, learned Public Prosecutor and perused the case diary.

Learned counsel for the petitioner vehemently and fervently urged that there is no evidence worth the name on the record of the case to connect the petitioner with the offences alleged. As per the conclusion of the Investigating Officer, the petitioner got provided opium weighing 2.5 kg to the principal accused through his brother-in-law Bagdi Ram. As per the learned counsel, the implication of the petitioner in this case is totally unwarranted. He, thus, urges that the petitioner deserves indulgence of pre-arrest bail.

Per contra learned Public Prosecutor vehemently and fervently opposed the

submissions advanced by the petitioner's counsel. He presented the case diary and in reference thereto urged that the Investigating Officer has collected evidence in the form of call details etc., which clearly indicates that the petitioner conspired with Bagdi Ram for providing 2.5 kg. opium to the main accused.

Having considered the submissions advanced at bar and after going through the material available on record, this court is of the opinion that it is not a fit case for granting indulgence of pre-arrest bail to the petitioner. Accordingly, the instant application filed under Section 438 CrPC is dismissed.