HIGH COURT OF MADHYA PRADESH

M.Cr.C. No. 43422/2020

(*Aniket Rajak Vs. State of M.P.*)

Jabalpur, Dated :03.12.2020

HEARD THROUGH VIDEO CONFERENCING

Shri B.M. Prasad, learned counsel for the applicant.

Shri Ritesh Ghosh, learned Panel Lawyer for the respondent/State.

This is the repeat bail application filed by the applicant under Section 439 of the Cr.P.C. for grant of bail. First application, M.Cr.C. No.25837/2020 was dismissed as withdrawn on 22.09.2020.

The applicant is in custody since 01.07.2020 in connection with Crime No.660/2020, registered at P.S. Kareli, district Narsinghpur for the offence punishable under Section 8/20 of the NDPS Act.

As per prosecution, 6kgs of *ganja* was seized from the possession of the applicant.

Learned counsel for applicant submits that applicant has been falsely implicated in this case. He is not the owner of the motor cycle from which 6kgs of ganja has been seized. It is submitted that applicant is 22 years old and has no criminal antecedents.

Learned counsel for the State submits that the owner of the vehicle has made a statement that he has given his motor cycle to the present applicant. However, he fairly submits that applicant has no criminal history.

Considering that this is the first offence by the applicant and he has no criminal antecedents, this application is allowed.

It is directed that applicant **Aniket Rajak** shall be released on bail on his furnishing a personal bond in the sum of **Rs.1,00,000/- (Rs. One Lac only)** with one surety in the like amount to the satisfaction of the trail Court for his presence before the said Court on all the dates of hearing fixed in this regard during the trial.

This order will remain operative subject to compliance of the following conditions :-

"1. The applicant will comply with all the terms and conditions of the bond executed by him.

2. The applicant will cooperate in the investigation/trial, as the case may be;

3. The applicant will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Police Officer, as the case may be;

4. The applicant shall not commit any other offence during pendency of the trial, failing which this bail order shall stand cancelled automatically without further reference to the Bench;

5. The applicant will not seek unnecessary adjournments during the trial;

6. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

7. The learned concerned Magistrate and the prosecution are directed to ensure following of Covid-19 precautionary protocol prescribed from time to time by the Supreme Court, the Central Govt. and as well as the State Govt."

A typed copy of this order be forwarded by the Registry to the Office of the Advocate General and to Shri Ritesh Ghosh,

learned Panel Lawyer, on their respective email address, for intimation to the Police Station concerned. The office is also directed to forward a copy of this order to the learned Court below.

Certified copy/e-copy as per rules/directions.

(Nandita Dubey)
Judge


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Date: 2020.12.03 17:07:58 +05'30'