IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

ON THE 5th OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 2848 of 2024

BETWEEN:-

JAHANGIR @ TENKI S/O ALLUDDIN SHEIKH, AGED ABOUT 32 YEARS, OCCUPATION: LABOUR WARD NO. 34, CHHAWANI MOHALLA, MANSINGH COLONY, LUDHIANA (PUNJAB)

.....APPLICANT

(BY SHRI RAJNISH YADAV - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER THROUGH POLICE STATION GAROTH, DISTRICT MANDSAUR (MADHYA PRADESH)

.....RESPONDENT

(BY SHRI SANTOSH SINGH THAKUR - PUBLIC PROSECUTOR)

This application coming on for admission this day, the court passed the following:

ORDER

This is first application under Section 439 of the Cr.P.C. filed on behalf of the applicant in connection with Crime No.497/2023 registered at Police Station - Garoth, Dist. Mandsaur (M.P.) under Section 8/15 of NDPS Act.

2. It is alleged that from possession of the present applicant and two other accused persons, 10 K.G. poppy straw from each accused and total quantity of 30 K.G. poppy straw has been seized.

3. Counsel for the applicant submits that the aforesaid quantity is less than commercial quantity and the applicant is in jail since 21.10.2023.

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Signed by: SOUMYA RANJAN DALAI
Signing time: 05-02-2024 18:10:35

4. Counsel for the State opposes the prayer and submits that there is one criminal case of NDPS Act against the applicant and he is resident of State of Punjab.

5. After hearing learned counsel for the parties and taking into consideration that the alleged quantity of contraband is less than commercial quantity, the investigation has been completed and the charge-sheet has been filed, I am of the view that the applicant is entitled for grant of bail on the condition that the applicant shall mark his presence before the concerned police station on every 15th day of the month during the pendency of trial. Therefore, without expressing any view on the merits of the case, the application is allowed.

6 . It is directed that Applicant- Jahangir @ Tenki shall be released from custody upon furnishing a personal bond of Rs.1,00,000/- (Rupees One Lakh Only) with one local surety of the like amount to the satisfaction of the court below.

7. A typed copy of this order is being forwarded to the Office of the Advocate General, on their email address, for intimation to the Police Station concerned. The office is requested to forward a copy of this order to the court below.

C.c. as per rules.

(VIJAY KUMAR SHUKLA)
JUDGE

soumya

Signature Not Verified
Signed by: SOUMYA RANJAN DALAI
Signing time: 05-02-2024 18:10:35