IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE ANIL VERMA

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 22821 of 2023

BETWEEN:-

SHABBIR S/O GAFFAR, AGED ABOUT 23 YEARS, OCCUPATION: STUDENT R/O VILLAGE HATUNIYA DISTT. PRATAPGARH (RAJASTHAN)

.....APPLICANT

(BY SHRI RITESH INANI - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER THROUGH POLICE STATION KOTWALI DISTT. MANDSAUR (MADHYA PRADESH)

.....RESPONDENTS

(BY MS NISHA TANWAR PL)

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

ORDER

Heard on I.A no. 1456/2024, which is an application for grant of temporary bail instead of regular/ permanent bail.

2/ On due consideration, the I.A is allowed and disposed of.

3/ This is the first application filed by the applicant under Section 439 of Cr.P.C. for grant of temporary bail relating to FIR No.184/2022 registered at Police Station- Kotwali, Mandsaur for the offence under Sections 8/18, 25 and 29 of NDPS Act.

4/ Learned counsel for the applicant submits that applicant's wife is suffering from dysfunctional uterine bleeding and her immediate operation and

Signature Not Verified
Signed by: AMOL NIVRUTTIRAO MAHANAG
Signing time: 02-02-2024 18:01:18

treatment is required. There is nobody available in the applicant's family to take care of her, hence the applicant be granted temporary bail for the period of one month for medical treatment and operation of his wife.

5/ Counsel for the State informed that factum of treatment and operation of wife of present applicant has been verified.

6/ Verification report regarding medical ailment of wife of the applicant has been received and according to the opinion made by medical officer, CHC, Rama, District- Jhabua, applicant's wife Nazama Bi is suffering from dysfunctional uterine bleeding and she is required for uterine operation.

7/ Having regard to the aforesaid I deem it proper to grant temporary bail to the applicant for a period of 30 days.

8/ Accordingly, this M.Cr.C. is allowed and it is directed that the applicant be released on temporary bail for a period of **30 days** upon his furnishing a personal bond in the sum of **Rs.1,00,000/- (Only One Lac)** with two sureties **(out of which, one local surety)** in the like amount to the satisfaction of the trial Court.

9/ The applicant is directed to surrender himself before the trial Court concerned immediately after expiry of **30 days** period from the date of his release, failing which the trial Court shall take appropriate steps to take the applicant in custody.

10/ He shall also abide by the conditions enumerated u/S. 437(3) Cr.P.C.

C.C. as per rules

(ANIL VERMA)
JUDGE

amol

Signature Not Verified
Signed by: AMOL NIVRUTTIRAO MAHANAG
Signing time: 02-02-2024 18:01:18

Signature Not Verified
Signed by: AMOL NIVRUTTIRAO MAHANAG
Signing time: 02-02-2024 18:01:18