IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PREM NARAYAN SINGH

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 58023 of 2023

BETWEEN:-

SAIYYED IMRAN S/O SAKIR ALI,
AGED ABOUT 32 YEARS,
OCCUPATION: LABOUR
HOUSE NO. 176, HINA PALACE
DIST.: INDORE (MADHYA PRADESH)

.....APPLICANT

(SHRI DEEPRAJ SINGH - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH
STATION HOUSE OFFICER THROUGH
POLICE STATION KHAJRANA,
INDORE (MADHYA PRADESH)

.....RESPONDENTS

(SHRI GAURAV RAWAT - DY. GOVT. ADVOCATE)

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

ORDER

Heard and perused the case diary.

This is the **first** bail application filed on behalf of the applicant under Section 439 of the Code of Criminal Procedure for grant of bail in relation to FIR/Crime No.524/2023, registered at Police station-Khajrana, District Indore, for the offence under Sections 8/21, of the Narcotic Drugs and Psychotropic Substances Act 1985. Applicant is in jail since 27.06.2023.

2 . As per prosecution story, 8 grams of Brown Sugar has been

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Signing time: 03-02-2024 16:17:29

recovered from the possession of applicant.

3 . It is contended by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. Non commercial quantity of 8 grams of Brown Sugar has been recovered from the possession of the applicant. The applicant is in custody since 27.06.2023. Investigation is over and charge sheet has been filed. The final conclusion of trial will take considerable long time. Hence, the applicant may be enlarged on bail.

4. Learned counsel for the State has opposed the application and prays for its rejection by submitting that the applicant is having criminal records.

6. In reply, counsel for the applicant submitted that in most of the cases, the applicant has been acquitted or released on bail.

5. After hearing learned counsel for the parties and looking to the facts and circumstances of the case, I am of the view that it is a case in which applicant may be released on bail. Consequently, without commenting anything on the merits of the case, this first bail application u/s. 439 of Cr.P.C. filed on behalf of the applicant is allowed.

7. It is directed that the applicant/accused be released on bail on his furnishing a personal bond in the sum of **Rs.50,000/- (Fifty Thousand only)** with one solvent surety in the like amount to the satisfaction of the trial Court for securing his presence before the said Court on all the dates of hearing fixed in this regard during trial. It is also directed that the applicant shall comply with the provisions of Section 437(3) of the Cr.P.C.

8. This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become ineffective.

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Certified copy as per rules.

(PREM NARAYAN SINGH)
JUDGE

sumathi

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