IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VISHAL DHAGAT

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 3184 of 2024

BETWEEN:-

SURENDRA RATHORE S/O SHRI BHAGWANDAS RATHORE, AGED ABOUT 30 YEARS, OCCUPATION: LABOUR R/O MAU P.S. BEOHARI DISTRICT SHAHDOL (MADHYA PRADESH).

.....APPLICANT

(BY SHRI AKHIL SINGH - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THROUGH POLICE STATION PAPAUDH DISTRICT SHAHDOL (MADHYA PRADESH).

.....RESPONDENT

(BY SHRI AKSHAY NAMDEO - GOVERNMENT ADVOCATE)

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

ORDER

This is the first bail application filed by applicant under Section 439 of Code of Criminal Procedure for grant of regular bail relating to FIR No. 183/2023, registered at Police Station-Papaudh, District Shahdol (M.P.) for the offence punishable under Section 8/20 of N.D.P.S Act.

2. Learned counsel appearing for applicant submitted that applicant is innocent and has falsely been implicated in the case. It is submitted that contraband has been seized from joint possession. Applicant is in jail since 07.09.2023. In these circumstances, applicant be released on bail.

Signature Not Verified
Signed by: VINOD KUMAR TIWARI
Signing time: 2/2/2024 5:19:13 PM

3. Learned Government Advocate appearing for the State opposed the bail application. It is submitted that offence is under Special Act and there is presumption against the applicant.

4. Heard learned counsel for the parties.

5. Considering the facts and circumstances of the case, bail application filed by the applicant is ***dismissed.*** Applicant is at liberty to file repeat application after examination of independent seizure witnesses.

(VISHAL DHAGAT)
JUDGE

vkt

Signature Not Verified
Signed by: VINOD KUMAR TIWARI
Signing time: 2/2/2024 5:19:13 PM