

M.Cr.C. No. 15741/15

30.09.15.

Shri Pushpendra Dubey, Advocate for the applicant.

Shri R.S.Shukla, PL for the State.

Heard finally. Case diary perused.

This is the first bail application filed by the applicant under Section 439 of the Cr.P.C. for grant of bail.

The applicant is in custody since 18.06.15 in connection with Crime No. 228/15 registered at P.S. Talaiya, District-Bhopal for the offence punishable under Sections 8/20 of NDPS Act.

Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that mandatory provisions of NDPS Act have not been complied with. The seized quantity of Ganja is 1kg. 200 gms which is less than the commercial quantity. He also pointed out that applicant is in custody since 18.06.15, and trial would take considerable time to conclude, therefore, he may be released on bail.

Learned counsel for State has opposed the application.

On due consideration of the contentions raised by the learned counsel for the parties, nature of allegation against the applicant, and overall facts and circumstances of the case, I am of the considered view that it is a fit case to release the applicant on bail, therefore, without expressing any view on the merits of the case, the application is allowed and it is directed that applicant **Danish @ Azharuddin** shall be released on bail on his furnishing a personal bond in a sum of Rs. 30,000/- (Rs. Thirty Thousand only) with one surety in the like amount to the satisfaction of the committal Court/trial Court for securing his presence before the said Court on all the dates of hearing fixed in this regard during trial.

Certified copy as per rules.

(Subhash Kakade)
Judge.