

HIGH COURT OF MADHYA PRADESH

BENCH AT INDORE

M.Cr.C No.3874/2018 & M.Cr.C No.1779/2018

(Dilp singh & Devendra singh Vs. State of MP)

Indore, dated : 29/01/2018:-

Shri Nilesh Patel, learned counsel for the applicant in
M.Cr.C No.3874/2018

Ms.Jyoti Tiwari, learned counsel for the applicant in
M.Cr.C No.1779/2018.

Shri Hemant Sharma, learned counsel for the
respondent/State.

Heard with the aid of case diary.

ORDER

1. Both these applications under section 439 of Cr.P.C are in respect of the same **crime number 105/2017 U/s 8/15 and 25 of NDPS Act registered at Police Station Ratnagarh, District-Neemuch.**
2. As per information given by the accused/applicants, these are the first bail applications in connection with the present crime number. No other bail application is either filed or pending before or decided by any coordinate bench of this court or by Hon'ble the Apex court in the same crime number.
3. It is submitted by the learned counsels for the applicants that they are innocent and have falsely been implicated in the present case. There is no evidence against them. Conclude of trial is likely to take time. The applicants are permanent resident of District-Bheelwada (Rajasthan). There is no possibility of their absconding. They are ready to furnish adequate security.
4. The prosecution has opposed the bail application.
5. According to the prosecution case, 54 Kgs of Poppy Straw was recovered from the joint possession of the present applicants for which they were not having any valid license. They are arrested on 20.07.2017 and since then they are in jail.
7. The accused persons are in custody from 20.07.2017.

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Investigation is over and charge sheet has already been filed. Trial is likely to take time.

8. In view of the aforesaid and other facts and circumstances of the case, I deem it proper to release the accused persons on bail. Therefore, without commenting on merits of the case, the application is allowed.

9. It is directed that the applicants **Dilip Singh S/o Rajsingh and Devendra Singh S/o Shatrughan Singh** be released from custody on their furnishing a personal bond in the sum of **Rs.40,000/- (Rupees Forty Thousand) each** with **one** solvent surety **each** of the like amount to the satisfaction of the Trial Court for their appearance before the Trial Court as and when required further subject to the following conditions:

(i) The applicants shall co-operate with the trial and shall not seek unnecessary adjournments on frivolous grounds to protract the trial;

(ii) The applicants shall not directly or indirectly allure or make any inducement, threat or promise to the prosecution witnesses, so as to dissuade them from disclosing truth before the Court;

(iii) The applicants shall not commit any offence or involve in any criminal activity;

(iv) In case of their involvement in any other criminal activity or breach of any other aforesaid conditions, the bail granted in this case may also be cancelled.

C.C as per rules.

(Virender Singh)
Judge

Sourabh

**SOURABH
YADAV**

Digitally signed by SOURABH YADAV
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postalCode=452001, st=Madhya Pradesh,
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E7f5234895083EA1CDFA3083A0B, cn=SOURABH YADAV
Date: 2018.02.03 13:00:06 +05'30'