

HIGH COURT OF MADHYA PRADESH, BENCH AT INDORE

M. Cr. C. No.20592/2018

(Subhash Vs. State of M. P.)

- 1 -

Indore, dated 31/05/2018

Mr. Vinod Thakur, learned counsel for the applicant.

Mr. Vishal Sanothiya, learned Deputy Government Advocate
for the respondent / State.

Heard finally.

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

The applicant is in custody since 06/05/2018 in connection
with Crime No.88/2018 registered at P.S. Ratangad, District
Neemuch for the offence punishable under Section 8/15 of The
Narcotics Drugs and Psychotropic Substances Act, 1985 for
keeping in his possession 12 KG poppy straw.

Learned counsel for the applicant submits that the quantity
seized from the possession of the present applicant is
noncommercial quantity as per the schedule appended to Act. He
further submits that there is no criminal antecedents against the
present applicant.

Learned counsel for the State opposes the bail application,
however, he fairly admits that as per the information available in the
case diary there is no criminal antecedents reported against the
present applicant and the quantity of poppy straw seized from the
possession of the present applicant is noncommercial.

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- 2 -

On due consideration of the contention raised by the learned counsel for the parties and overall facts and circumstances of the case, I am of the considered view that it is fit case to release the applicant on bail, therefore, without adverting into the merits of the case, the application is allowed.

It is directed that applicant Subhash shall be released on bail on his furnishing a personal bond in the sum of **Rs.35,000/- (Rupees Thirty Five Thousand only)** with one solvent 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.

(NANDITA DUBEY)
Vacation Judge

Tej

Digitally signed by
Tej Prakash Vyas
Date: 2018.05.31
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