

**HIGH COURT OF MADHYA PRADESH**

**BENCH AT INDORE**

**MCRC No.23888/2018**

**Indore, dated : 29/06/2018:-**

Shri P.Chaudhary, learned counsel for the applicant.

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

Heard with the aid of case diary.

**O R D E R**

This first bail application under Section 439 of Cr.P.C. is in connection with **Crime No.145/2017 under Section 8/15 and 25 of NDPS Act registered at Police Station-Narayangarh, District-Mandsaur.**

2. As per information given by the accused/applicant, this is the first bail application in connection with the present crime number.
3. It is submitted by the learned counsel for the applicant that the applicant is innocent and has falsely been implicated in the present case. There is no evidence against him. Conclude of trial is likely to take time. The applicant is permanent resident of District-**Neemuch**. There is no possibility of his absconding. He is ready to furnish adequate security, therefore, he may be released on bail.
4. The Prosecution has opposed the bail application.
5. Learned counsel for the applicant made statement at Bar that no criminal antecedent is attributed to the applicant.
6. According to the prosecution case, 275 of poppy Straw has been seized from the possession of the present applicant without having any valid license.
7. The accused is in custody from 28.05.2017. Investigation is over and charge sheet has already been filed. Trial is likely to take time.
8. In view of the slow progress of trial, in which out of 23 witnesses only 01 witness has been examined, period of custody and other facts and circumstances of the case and also the

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quantity alleged to have been seized, I deem it proper to release the accused/applicant on bail. Therefore, without commenting on merits of the case, the application is allowed.

**9.** It is directed that the applicant **Chetan S/o Hariom** be released from custody on his furnishing a personal bond in the sum of **Rs.1,00,000/- (Rupees One Lakh Only)** with **one** local solvent surety to the satisfaction of the Trial Court for his appearance before the Trial Court as and when required further subject to the following conditions :-

- (i) The applicant shall co-operate with the trial and shall not seek unnecessary adjournments on frivolous grounds to protract the trial.;
- (ii) The applicant shall not directly or indirectly allure or make any inducement, threat or promise to the prosecution witnesses, so as to dissuade him from disclosing truth before the Court;
- (iii) The applicant shall not commit any offence or involve in any criminal activity;
- (iv) In case of his 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*

Digitally signed by  
SOURABH YADAV  
Date: 2018.06.29  
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