

**High Court of Madhya Pradesh, Jabalpur**  
**Bench at Indore**

**Miscellaneous Criminal Case No.41054/2018**

(Hukum Singh s/o Ganga Singh Sondhiya

Versus

The State of Madhya Pradesh)

**Indore, Dated 31.12.2018**

Mr. Abhay Kumar Saraswat, learned counsel for the applicant.

Ms. Archana Kher, learned Public Prosecutor for the non-applicant / State of Madhya Pradesh.

Heard with the aid of case diary.

**O R D E R**

This first application under Section 438 of Criminal Procedure Code, 1973 for grant of anticipatory bail filed on behalf of applicant Hukum Singh s/o Ganga Singh Sondhiya, who is apprehending his arrest in connection with Crime No.164/2018 registered at Police Station Bhanpura, District Mandsaur (MP) for offence punishable under Section 8 read with Section 15 and Section 29 of the Narcotic Drugs & Psychotropic Substances Act, 1985.

2. According to the prosecution case, on 16.04.2018, police recovered 1,080 kilograms of poppy straw from the possession of co-accused persons Gokul Singh and Pratap Singh. Co-accused Gokul Singh named the present applicant as seller of the poppy straw recovered from them. Nothing is recovered from the possession of the present applicant. He is implicated in the alleged crime only on the basis of disclosure statement of co-accused Gokul Singh.

3. In reply the learned Public Prosecutor for the non-

applicant / State of Madhya Pradesh has opposed the prayer grant of anticipatory bail. The objection of the prosecution is that earlier also, similar nature of crime case was registered against the present applicant.

4. Considering the evidence collected during the investigation, without commenting on merits, at this stage, I find it to be a fit case for grant of anticipatory bail to the applicant.

5. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of the applicant's arrest or surrender before the police within a month of this order, applicant **Hukum Singh s/o Ganga Singh Sondhiya** shall be released on bail upon his furnishing a personal bond of Rs.50,000/- (Rupees Fifty Thousand Only) with one solvent surety of the like amount to the satisfaction of Station House Officer of the Police Station concerned. The applicant would abide by the conditions mentioned in Section 438 (2) of Criminal Procedure Code, 1973.

6. Accordingly, Miscellaneous Criminal Case No.41054/2018 stands disposed of.

**(Virender Singh)  
Vacation Judge**

Pithawe RC