

# **The High Court Of Madhya Pradesh**

**MCRC No. 64401 of 2021**

*(KANHA @ KARAN Vs THE STATE OF MADHYA PRADESH)*

**Indore, Dated : 30-12-2021**

Shri Omprakash Solanki, learned counsel for the applicant. .

Shri Hemant Sharma PL for the respondent/State.

With the consent, finally heard.

This is first application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail in connection with Crime No.18/2021 registered at Police Station – Crime Branch, Indore District -Indore for the offence registered under Sections s 8/20 of NDPS Act. The applicant is in custody since 26/06/2021

Brief facts of the prosecution case are that on 26/06/2021 Police- Crime Branch, Indore has received a secret information that a person is transporting Contraband is likely to Ganja on Motor Cycle. On this information, police has intercepted the motorcycle Activa bearing registration no. M.P. 09 US 6552 in front of Jai Shri Ram Restaurant, Airport Road, P.S.- Chandan Nagar, Indore and found one person namely Kanha @ Karan Yadav and upon search police has spotted a bag on his motorcycle and seized, and weighing, the contraband found comes to be 10 kg. and 300 Grams. The accused was formally arrested. Onthis basis, case u/s 8/20 N.D.P.S. Act is registered against the present applicant.

Learned counsel for the applicant submits that applicant is innocent and he has falsely been implicated in the present crime. The seized contraband is less than commercial quantity. Investigation is over and charge-sheet has been filed. The applicant is in custody since 26/06/2021 and conclusion of trial will take sufficient long time. In these circumstances the applicant be released on bail.

The prayer is opposed by learned Panel Lawyer for the respondent / State.

Taking into consideration all the facts and circumstances of the case, the arguments advanced by learned counsel for the parties as

also the nature of the allegations, however without commenting on merits, I deem it proper to enlarge the applicant on bail.

Accordingly, the bail application is allowed. The applicant is directed to be enlarged on bail on his furnishing personal bond in the sum of **Rs.75,000/- (Rupees Seventy Five Thousand Only)** with one solvent surety of the like amount to the satisfaction of the trial Court for his appearance before the trial Court concerned as and when directed.

He shall abide by the conditions enumerated under Section 437(3) of the Cr.P.C..

The applicant will attend each hearing of his trial before the trial Court out of which this bail arises. Any default in the attendance in Court would result in cancellation of the bail granted by this Court.

With the aforesaid, the application stands disposed of.

Certified copy, as per Rules.

**(RAJENDRA KUMAR (VERMA))**  
**JUDGE**

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