

# The High Court Of Madhya Pradesh

MCRC-10944-2021

(VIDYALAL YADAV Vs THE STATE OF MADHYA PRADESH)

Jabalpur, Dated : 30-04-2021

**Heard through Video Conferencing.**

Shri Brijesh Mishra, learned counsel for the applicant.

Shri Satish Pateriya, learned Panel Lawyer for the respondent/State.

On account of prevailing conditions worldwide brought about by the COVID-19 virus, the present application has been heard through video conferencing in order to maintain social distancing. The necessary parties have effectively been represented by their respective counsel via video conferencing.

Heard and perused the record.

This is the first bail application filed by the applicant under Section 439 of the Code of Criminal Procedure for grant of bail in connection with Crime No.44/2021 registered at the Police Station Dhanpuri, District Shahdol (M.P.) for the offence punishable under Sections 8/20, 22 of the NDPS Act and 5/13 of MP Drug Control Act.

Learned counsel for the applicant submits that the investigation has already been completed and the applicant is in jail since 04.02.2021.

Taking into consideration the allegations against the applicant that 21 bottles of Onrex cough syrup and some drugs were seized from his possession and investigation has been completed, and the fact that he is in jail since 04.02.2021, I am of the view that the present applicant is entitled to be released on bail.

Accordingly, the present **applicant- Vidyalal Yadav** shall be released from the custody upon furnishing a personal bond of **Rs.50,000/- (Rs. Fifty Thousand Only)** with one surety of the like amount to the satisfaction of the trial Court. Further, the applicant shall comply the provisions of Section 437(3) Cr.P.C. The prison authorities are also requested to ensure compliance with the order passed by the Supreme Court IN RE :

CONTAGION OF COVID 19 VIRUS IN PRISONS in SUO MOTU“  
W.P. (C) No.1/2020 and ensure that the applicant is examined by the jail doctor before his release. If the applicant shows symptoms of COVID-19, the doctor shall forthwith direct him to be produced before the appropriate hospital designated for the detection and treatment of COVID-19 patients. If the doctor is of the opinion that the applicant is not affected with the virus, the jail authorities shall ensure his transportation from the jail till his place of residence.

It is further made clear that if it is found that the applicant is involved in any other case during the trial, this bail order shall stand cancelled automatically without reference to the Court and the Police will be at liberty to arrest the applicant.

A typed copy of this order be forwarded to the Office of the Advocate General and to Shri Satish Pateriya, learned Panel Lawyer, on their respective e-mail address for intimation to the Police Station concerned. The Office is also directed to forward a copy of this order to the learned Court below.

Accordingly, the bail application is **allowed**.

C.c. as per rules.

(VIJAY KUMAR SHUKLA)  
JUDGE

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