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**IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE**

**BEFORE
HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA**

ON THE 30th OF NOVEMBER, 2022

MISC. CRIMINAL CASE No. 55868 of 2022

BETWEEN:-

**BHOPAL SINGH S/O SHRI SHAMBHU SINGH JI RAJPUT,
AGED ABOUT 37 YEARS, OCCUPATION:
AGRICULTURIST VILLAGE PIPLIYA JHODA, DISTRICT
MANDSAUR POLICE STATION NARYANGARH,
DISTRICT MANDSAUR (MADHYA PRADESH)**

.....APPLICANT

(MS.NUPUR GARG, LEARNED COUNSEL FOR THE APPLICANT)

AND

**THE STATE OF MADHYA PRADESH STATION HOUSE
OFFICER THROUGH P.S. SUVASARA, DISTRICT
MANDSAUR (MADHYA PRADESH)**

.....RESPONDENT

***(SHRI SHANTNU CHOURASIA APPEARING ON BEHALF OF ADVOCATE
GENERAL)***

This application coming on for orders this day, the court passed the following:

ORDER

This is fifth application filed under section 439 of the Cr.P.C in crime no.05/2018 under section 8/21 of the NDPS Act registered at police station Suvasara, Mandasaur. The applicant has applied for temporary bail on the ground of death of father of the applicant namely Shambhu Singh Chandrawat, who has died on 17.11.2022.

It is stated that the applicant is sole son of the deceased father and he has to perform certain ritual ceremony. The condolence ceremony and Pagdi are to be held on 1-2/12/2022.

By order dated 29.11.2022, learned counsel for the respondent/state was directed to verify the same. Learned counsel for the respondent/state submits that no report could be received from the concerned police station.

The applicant has filed copy of the order of trial Court dated 17.11.2022, whereby, the death of father of the applicant has been taken note and the applicant was sent under police custody to attend the funeral.

Alongwith the application, death certificate and ceremony card has been enclosed and affidavit of the cousin of the applicant is filed.

Considering the aforesaid, I am of the view that the applicant is entitled for grant of temporary bail, therefore, the application is allowed.

It is directed that the applicant Bhopal Singh S/o Shambhu Singh Rajput shall be released on bail temporarily for 15 days from the date of his release subject to his furnishing a bail bond of Rs.50,000/- (Rs.Fifty Thousand Only) with one solvent surety in the like amount to the satisfaction of the Trial Court. The applicant shall abide by the condition enumerated under section 437(3) of the Cr.P.C. The applicant shall surrender immediately after expiration of the period of 15 days before the concerned police station and if the applicant does not surrender after expiration of the aforesaid period, the concerned police station shall take necessary action to arrest the applicant.

CC today.

(VIJAY KUMAR SHUKLA)
JUDGE

Sourabh

