

HIGH COURT OF MADHYA PRADESH : JABALPUR

Endt. No.../ C / 5262
III-6-3/89

Jabalpur, dt. 06/12/19
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The copy the order passed by Hon'ble Shri Justice Vivek Rusia, dated 05-11-2019 in the M.Cr.C. No. 47584/19 & dated 21.10.2019 passed in M.Cr.C. No.39440/19 in the Case of Laxman Singh Vs. State of M.P. is forwarded to -

- (i) The District & Sessions Judges.....(all in the State) with a request to circulate the copy of the same to all the Judges working under your kind control specially dealing with NDPS Act cases, so that the order dated 21.10.19 may not be used as precedent for grant of bail.
- (ii) The District & Sessions Judge (Inspection & Vigilance), Jabalpur / Indore / Gwalior;
- (iii) The Director MPSJA for information & needful ,
- (iv) Director General of Police Jahagirabad, Police Headquarter Bhopal
- (v) The Principal Registrar, Bench at Indore/Gwalior High Court of M.P., Jabalpur.
- (vi) P.S. to Hon'ble the Chief Justice ,High Court of Madhya Pradesh Jabalpur for placing the matter before His Lordships,
- (vii) P.S. to Registrar General/ Principal Registrar(Judl)/ Principal Registrar (Inspection & Vigilance),/ Principal Registrar (Examination) / Principal Registrar (ILR) High court of Madhya Pradesh Jabalpur,
- (viii) Registrar(J-I),(J-II) /(D.E.)/(A)/ (Vig.)/ (Vl.)/ High Court of Madhya Pradesh, Jabalpur.
- (ix) The Registrar(IT) for uploading the same on the Website of High Court of M.P.


(B.P. SHARMA)
REGISTRAR(DE)

The High Court Of Madhya Pradesh**MCRC-47584-2019***(LAKSHMANSINGH Vs THE STATE OF MADHYA PRADESH)***Indore, Dated : 15-11-2019**

Shri Rishiraj Trivedi, learned counsel for the applicant.

Shri Yogesh Kumar Gupta, learned Govt. Advocate for the State.

Heard.

The present MCRC is filed seeking correction of typographical error in the order dated 21.10.2019 passed in MCRC No.39440/2019.

In the second paragraph of the order the quantity of poppy straw seized from the applicant has wrongly been typed as 230 kg. whereas as per the case diary the quantity is 20 kg..This Court has granted bail to the applicant keeping in view the fact that the poppy straw seized from the applicant is 20 kg. apart from other grounds. Since the said mistake is apparent on the face of the record, therefore, the MCRC is allowed and it is directed that in place of "230 kg." it be read as "20 kg.".

Let a copy of this order be kept in the record of MCRC No.39440/2019.

A copy of this order be also circulated to all District Judges and Bar Associations of the State of M.P so that the order dated 21.10.2019 may not be used as a precedent for grant of bail.

MCRC stands disposed of.


(VIVEK RUSIA)
JUDGE

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HIGH COURT OF MADHYA PRADESH:
BENCH AT INDORE
M.Cr.C.No.39440/2019
(Lakshman Singh Vs. State of M.P.)

Indore, Dated: 21.10.2019

Shri R.R. Trivedi, learned counsel for the applicant.

Shri Vikas Yadav, learned public prosecutor for the respondent/State.

This is first bail application under Section 439 of the Cr.P.C., 1973 for grant of bail. The applicant is in custody since 08.08.2019 in connection with the case registered under Crime No.369/2019, P.S - Neemuch, District - Neemuch for the offences said to have been committed under Section 8/15 of the NDPS Act.

As per prosecution case, 230 Kg Poppy straw was recovered from conscious possession of present applicant for which he was not having any valid license.

Learned counsel for the applicant has submitted that applicant has not committed any offence and he has been falsely implicated in the case. Investigation is over and charge-sheet has been filed. Therefore, the petitioner is entitle for bail.

Per contra, learned Pubic Prosecutor for the State opposes the application.

In view of the aforesaid facts and circumstances, without further commenting on the merits of the case, it would be appropriate to enlarge the petitioner on bail.

Accordingly, subject to his future good conduct the

applicant - **Lakshman Singh S/o Late Khuman Singh** shall be released on bail subject to his furnishing a personal bond in the sum of **Rs.1,00,000/- (Rupees One Lac)** with one solvent surety in the like amount to the satisfaction of the concerned JMFC/CJM for his regular appearance before him or trial Court on all dates of hearing as may be fixed in this behalf by the Court concerned during trial. It is also directed that the applicant shall abide by all the conditions enumerated under Section 437(3) of the Cr.P.C.

M.Cr.C. No.39440/2019 is allowed and stands **disposed of.**

Certified copy as per rules.

S/-
(VIVEK RUSIA)
Judge

Jasleen

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