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**THE HIGH COURT OF MADHYA PRADESH**  
**M.Cr.C. No.38508/2021**  
(DIGVIJAY SINGH Vs THE STATE OF MADHYA PRADESH)

**Through Video Conferencing**

**Gwalior, Dated : 03-08-2021**

Shri Vishal Singh Bhadoriya, Counsel for the applicant.

Shri C.P. Singh, Counsel for the State.

Case diary is available.

This second application under Section 439 of Cr.P.C. has been filed for grant of bail. The first application was dismissed by order dated 06.11.2020 passed in M.Cr.C. No.43389/2020.

The applicant has been arrested on 30.08.2020 in connection with Crime No.86/2020 registered at Police Station Nayagaon Distt. Bhind for offence under Sections 8/21 of NDPS Act.

This repeat application has been filed on the ground of delay in trial.

According to the prosecution case, 30 gms of smack has been seized from the possession of applicant.

It is submitted by Shri Bhadoriya that one independent witness has been examined and he has not supported the prosecution case.

However, the applicant has not filed the copy of order-sheets of the trial court to show that there is any in-ordinate delay on the part of prosecution.

Further in view of the fact that 30 gms of smack was seized

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from the possession of applicant, it cannot said that the detention of applicant for a period of about 11 months is sufficient.

Under these circumstances, no case is made for grant of bail.

The application fails and is hereby **dismissed**.

**(G.S. Ahluwalia)**  
**Judge**

Aman