

**HIGH COURT OF MADHYA PRADESH: BENCH AT INDORE**  
**M.Cr.C. No.43908/2018**  
**Karulal v/s State of Madhya Pradesh**  
**Indore, dated 06.12.2018**

Shri Nilesh Agrawal, learned counsel for the applicant.

Shri A.S. Sisodiya, learned Government Advocate for the respondent/State.

This is eighth application filed by the applicant under Section 439 of the Code of Criminal Procedure for grant of bail.

The present applicant is in jail since 23.05.2016 in connection with Crime No.176/2016 registered at Police Station – Manasa, District – Neemuch for the offence punishable under Sections 8/18, 29 of the NDPS Act.

Learned counsel for the applicant has argued before this Court that seizure witnesses have turned hostile and 71.82 gm of contraband has been recovered from two persons, meaning thereby, 35.91 gm has been recovered from the present applicant, which is not a commercial quantity. He has also stated that one of the accused persons has been discharged, as he was implicated on the basis of memorandum under Section 27 of the Evidence Act.

The aforesaid fact has not been disputed by learned Government Advocate, however, he has stated that there are other witnesses also. He has vehemently opposed the prayer for grant of bail, however, he was fair enough in informing this Court that there is no criminal case registered/pending against the present applicant, as per the information received by him from the Station House Officer.

This Court after considering the statements available in the case-diary, keeping in view the period of detention of the present applicant and without further commenting upon the merits of the case, this Court is of the opinion that present bail application deserves to be allowed and is accordingly allowed.

Applicant Karulal S/o Laduji Gayari is directed to be released on bail on his furnishing personal bond of **Rs.1,00,000/- (Rupees One Lakh Only)** with one surety in the like amount to the satisfaction of the trial Court for his appearance before the said Court on the dates fixed in this behalf.

Certified copy, as per rules.

**(S.C. Sharma)**  
**Judge**

**Ravi**