

**High Court of Madhya Pradesh, Jabalpur**  
**Bench at Indore**

**Miscellaneous Criminal Case No.20228/2019**

(Ramsu s/o Kam Singh Bhilala

Versus

The State of Madhya Pradesh)

**Indore, Dated 16.05.2019**

Mr. Vivek Singh, learned counsel for the applicant.

Mr. Lokesh Bhargava, learned Public Prosecutor for the non-applicant / State of Madhya Pradesh.

They are heard. Perused the case diary.

This second application under Section 439 of Criminal Procedure Code, 1973 has been filed by applicant, who is implicated in connection with Crime No.144/2018 registered at Police Station Bakhatgarh, District Alirajpur (MP) for offence punishable under Section 8 read with Section 20 of the Narcotic Drugs & Psychotropic Substances Act, 1985.

The applicant is in custody since 02.11.2018.

As per prosecution story, secret information received from informant on 02.11.2018, that Ramsu s/o Kam Singh is doing illegal business of cannabis plants by harvesting in his field; and recovered 180 plants of cannabis from his field. Hence, the present case has been registered him.

Learned counsel for the applicant has submitted that the applicant is innocent and he has falsely been implicated in the present crime. 180 plants of

cannabis alleged to have been recovered from the possession of the applicant. The applicant is in custody since 02.11.2018. There is no possibility of his absconsion or tampering with the evidence. The conclusion of the trial will take sufficiently long time and there is no apprehension of the applicant running away from the course of justice, if released on bail. Under these changed circumstances, learned counsel for the applicant prays for grant of bail to the applicant.

Learned Public Prosecutor for the non-applicant / State of Madhya Pradesh submits that no sufficient ground is made out for releasing the applicant on bail, hence the application filed by the applicant be dismissed.

Considering the facts and circumstances of the case and the arguments advanced by learned counsel for the parties, coupled with material available in the case diary, but without commenting on the merits of the case, the application filed by the applicant is allowed. The applicant is directed to be released on bail upon his / her furnishing a personal bond in the sum of **Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only)** with **two solvent sureties of Rs.75,000/- (Rupees seventy five thousand Only) each** to the satisfaction of trial Court for his / her regular appearance before the trial Court during

trial with a condition that he / she shall remain present before the court concerned during trial and shall also abide by the conditions enumerated under Section 437 (3) Criminal Procedure Code, 1973.

This order shall be effective till the end of the trial, however, in case of bail jump, it shall become ineffective.

Certified copy as per rules.

**(S.K. Awasthi)**  
**Judge**