

High Court of Madhya Pradesh, Jabalpur
Bench at Indore

BEFORE
HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 19TH OF MAY, 2022

Miscellaneous Criminal Case No.18327/2022

Between: -

Aadub S/o Shri Kallu Shah
Age- 43 years, Occupation- Labourer,
R/o- Near Eklavya School Makdi Road, Shamgarh,
Mandsaur District Mandsaur (MP)

.....APPLICANT

(By Shri Vikas Yadav, Advocate)

AND

The State of Madhya Pradesh
Through Police Station **Crime Branch**,
Indore District **Indore** (MP)

.....RESPONDENT

(By Shri Sanjay Karanjawala, Government Advocate)

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

ORDER

They are heard. Perused the case diary / challan papers.

This is the applicant's **first** application under Section 439 of Criminal Procedure Code, 1973 for grant of temporary bail, as he / she is arrested in connection with Crime No.22/2021 registered at Police Station **Crime Branch**, Indore, District Indore (MP) for offence punishable under Section 8 read with Section 22 of the Narcotic Drugs

& Psychotropic Substances Act, 1985 (herein after referred to as the Act) on the ground of ailment of his wife.

The applicant is in custody since 06.08.2021.

Although, counsel for the applicant has submitted that this Court may also consider the bail application on the ground of marriage of applicant's daughter, whose marriage is to be solemnized on 23.05.2022.

Counsel for the respondent / State has submitted that although the invitation card has been verified, but looking to the seriousness of the offence, as the applicant has been arrested in connection with M.D.M.A. Drug, no case for grant of bail is made out.

On due consideration of the submissions and perusal of the documents filed on record, this Court finds it expedient to allow the present application **for a period of one week only**.

Accordingly, without reflecting anything on the merits of the case, the application is allowed **temporarily** for a period of **one week**. It is directed that applicant shall be released on temporary bail for a period of **one week** from the date of his release, subject to furnishing a personal bond in the sum of **Rs.3,00,000/- (Rupees three lakhs)** with one separate surety of the like amount to the satisfaction of the concerned trial Court, with an undertaking that the applicant shall surrender before the concerned Court on **30.05.2022**, failing which he shall be arrested by the police and be put to face the trial, in accordance with the law.

It is made clear that if the applicant is again found to be

involved in any other offence during the trial, this order shall stand cancelled automatically without reference to the Court and the police will be at liberty to arrest the applicant in the present case also.

Accordingly, Miscellaneous Criminal Case No.18327/2022 stands disposed of.

Pending interlocutory applications, if any, shall stand **disposed of.**

(Subodh Abhyankar)
Vacation Judge