

**IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE**

BEFORE

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 24th OF JUNE, 2024

MISC. CRIMINAL CASE No. 12431 of 2024

(MAHENDRA SINGH

Vs

UNION OF INDIA)

Appearance:

(APPLICANT BY SHRI PALASH CHOUDHARY, ADVOCATE.)

*(RESPONDENT / STATE BY SHRI VISHAL SANOTHIYA, GOVERNMENT
ADVOCATE.)*

ORDER

The present application is moved under Section 439 of Code of Criminal Procedure, 1973 for grant of bail. Learned counsel for the applicant prays for conversion of the present regular bail application to temporary bail application as during the pendency of the application the father of the applicant has been diagnosed with severe lung infection.

2. Considering the aforesaid, the present application is treated for grant of temporary bail.

3. I.A. No.9977/2024, which is an application to bring the documents of record is taken up for hearing.

4. Keeping the reasons mentioned in the application, same is allowed. Documents filed alongwith the application are taken on record.

5. As per the documents annexed with the application it appears that father of the applicant is suffering from breathing problem and requires immediate treatment. Under these circumstances, learned counsel prays for grant of temporary bail for a period of 15 days to the applicant.

6. The applicant is in jail since 18.09.2023 in connection with Crime

No.08/2023/CBN Jaora registered at Police Station Central Bureau of Narcotics, Jaora District Ratlam (M.P.) for offence punishable under Section 8/18 & 29 of NDPS Act, 1985.

7. Government Advocate for the respondent / State submits that trial Court be granted liberty to verify the factum of the illness of father of the applicant before releasing the applicant.

8. Considering the aforesaid facts and circumstances of the case as also taking note of the fact of illness of father of the applicant, the application is **allowed**. The applicant - **Mahendra Singh** is directed to be released on temporary bail **for a period of fifteen days only from the date of his release** upon his furnishing personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand Only)** with one solvent surety in the like amount to the satisfaction of the learned trial Court and he shall also abide by the conditions enumerated under Section 437(3) of Code. The trial Court is directed to verify the factum of illness of the father of the applicant before release and trial Court is also granted liberty to impose reasonable conditions at the time of release of the applicant.

9. After completion of the aforesaid period of **fifteen days**, the applicant shall surrender himself before the trial Court, failing which the trial Court shall be liberty to take appropriate steps to arrest the applicant, in accordance with law.

10. Accordingly, this M.Cr.C. stands allowed and disposed off.

Certified copy, as per Rules.

(VINAY SARAF)
V. JUDGE

