

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

BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA

ON THE 26th OF APRIL, 2024

MISC. CRIMINAL CASE No. 17177 of 2024

BETWEEN:-

**SOHAIL S/O GULAM MANSURI, AGE: 24 YEARS,
OCCUPATION: LABOUR, R/O: GRAM BANNAKHEDA,
POLICE STATION INDUSTRIAL AREA, JAORA, DISTRICT
RATLAM (MADHYA PRADESH)**

.....APPLICANT

**(BY SHRI PALASH CHOUDHARY - ADVOCATE APPEARING ON BEHALF
OF SHRI VIKAS JAIN - ADVOCATE.)**

AND

**THE STATE OF MADHYA PRADESH, THROUGH STATION
HOUSE OFFICER, POLICE STATION TAAL, DISTRICT
RATLAM (MADHYA PRADESH)**

.....RESPONDENT

**(BY SHRI KRATIK MANDLOI - ADVOCATE APPEARING ON BEHALF OF
ADVOCATE GENERAL.)**

सत्यमेव जयते

*This application coming on for admission this day, the court passed the
following:*

ORDER

The applicant (Sohail S/o Gulam Mansuri) has filed the present repeat (**fifth**) application under Section 439 of Code of Criminal Procedure, 1973 (herein after referred to as the Code) seeking temporary bail on the ground of marriage of his brother (Mohammad Arbaz) which is scheduled to be held on 28.04.2024 and the ceremony / function will start from 27.04.2024.

2. The applicant is in jail since 09.06.2020 in connection with Crime No.158 of 2020 registered at Police Station Taal, District Ratlam (MP) for offence

punishable under Section 8 read with Sections 15, 25 and 29 of Narcotic Drugs & Psychotropic Substances Act, 1985.

3. Learned counsel for the applicant submits that the learned trial Court has rejected the temporary bail application filed on behalf of the applicant in compliance of order dated 15.04.2024 passed in Miscellaneous Criminal Case No.10716 of 2024. Learned counsel father submits that father of the applicant is suffering from kidney disease and therefore, his presence in the marriage function of his brother is necessary.

4. On due consideration, the application for grant of temporary bail deserves to be allowed, subject to verification of the factum of marriage.

5. Considering the aforesaid facts and circumstances of the case, but without commenting on the merit of the case, the application is allowed. The applicant - **Sohail S/o Gulam Mansuri** is directed to be released on temporary bail for a **period of seven 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 (subject to verification of factum of marriage of brother of the applicant by the trial Court) and he shall also abide by the conditions enumerated under Section 437(3) of Code.

6. After completion of the aforesaid period, 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.

7. Accordingly, Miscellaneous Criminal Case No.17177 of 2024 stands allowed and disposed off. Certified copy today.

rcp

