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

**BEFORE
HON'BLE SHRI JUSTICE PRAKASH CHANDRA GUPTA**

ON THE 8th OF MAY, 2024

MISC. CRIMINAL CASE No. 9285 of 2024

BETWEEN:-

**MOHAMMAD TASLIM S/O MOHAMMAD JAEED
MUSALMAN, AGED ABOUT 40 YEARS, OCCUPATION:
BUSINESS 6210, PAKKI GALI, BARA HINDU RAV UTTAR
DELHI (DELHI)**

.....APPLICANT

(BY SHRI MANISH KUMAR VIJAYWARGIYA, ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH STATION HOUSE
OFFICER THROUGH P.S. RINGNOD (MADHYA
PRADESH)**

.....RESPONDENTS

(BY SHRI D.G.MISHRA, GOVT. ADVOCATE)

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

ORDER

Heard with the aid of case diary.

This is first application filed under Section 439 of Cr.P.C. for grant of bail to the applicant, in connection with FIR/Crime No.431/2023, Date:-(Not mentioned) registered at P.S.-Ringnod, District- Ratlam (M.P.) for commission of offence punishable under Sections 8/15 and 29 of the N.D.P.S. Act.

2. Prosecution story in brief is that, on 23.11.2023 co-accused Sunil was found having and transporting 99.446 Kgs. of poppy straw in a swift car bearing registration no.DL-2C-AU-7051 without having any licence or authority.

Police had seized the aforesaid contraband and vehicle from the possession of the co-accused Sunil and accordingly crime was registered against him. During investigation, it was found that present applicant is the registered owner of the aforesaid vehicle.

3. Learned counsel for the applicant submits that applicant has not committed the offence and has falsely been implicated in the case. Prior to the incident, applicant had sold the aforesaid vehicle to the co-accused Sunil. In this respect, No Objection Certificate and Form No.28 have been filed in this case. It is also submitted that after selling of the aforesaid vehicle the vehicle was in the possession of co-accused Sunil and he was transporting the contraband without the knowledge of the applicant. He has been implicated in the case only on the basis that he is the owner of the vehicle. It is also submitted that applicant is in custody since 20.12.2023. After completion of investigation charge sheet has been filed. The conclusion of the trial will take sufficient long time for its disposal. Under these circumstances, prayer is made for grant of bail to the applicant.

4. On the other hand, learned counsel for the non-applicant/State has opposed the prayer of the applicant and submits that applicant is still the registered owner of the vehicle therefore he is not entitled for bail.

5. Having considered the submissions advanced from counsel for the parties, also considering the facts and circumstances, without commenting on the merits of the case, this Court is of the view that applicant deserves to be enlarged on bail. Hence, the application is **allowed**.

6. It is directed that the applicant- **MOHAMMAD TASLIM** be released on bail upon his/her furnishing personal bond in the sum of **Rs.1,00,000/- (Rupees One Lac only) with two sureties of Rs.50,000/-**

(Rupees Fifty thousand only)each out of which one local surety to the satisfaction of the concerned trial Court for his/her appearance before the trial Court on all such dates as may be fixed in this behalf by the trial Court during pendency of the trial. It is further directed that applicant shall comply with the provisions of Section 437(3) of Criminal Procedure Code, 1973.

7. M.Cr.C. stands disposed of, accordingly.

C.c. as per rules.

**(PRAKASH CHANDRA GUPTA)
JUDGE**

ajit

