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MCRC-26932-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SANJEEV S KALGAONKAR

ON THE 4<sup>th</sup> OF AUGUST, 2025MISC. CRIMINAL CASE No. 26932 of 2025*RUKHSAR**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

*Shri Devendra Singh - Advocate for the applicant.*

*Shri Apoorv Joshi, Govt. Advocate for the respondent/State.*

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ORDER

This first application has been filed by the applicant under Section 483 of BNSS, 2023 for grant of bail in connection with Crime No.295/2025, registered at Police Station - Sarangpur, District Rajgarh(M.P.) for offence punishable under Section 8/21 of NDPS Act, 1985. Applicant is in judicial custody since 30.05.2025.

Heard the arguments.

Perused the grounds for grant of bail stated in the application, case diary and the relevant material on record.

Learned counsel for the applicant, in addition to the grounds mentioned in the application, submits that the applicant is falsely implicated in the alleged offence. The Narcotic contraband was not seized from the active possession of the applicant. Learned counsel further submits that the applicant is aged around 33 years. She is labourer by profession. Applicant enjoys good character and social reputation. There is no likelihood of her absconsion leaving the family and home. There is no likelihood of tampering with evidence by the applicant for the reason



that she has no capacity to influence the witness being a housewife and labourer. Applicant is in custody since 30.05.2025. Jail incarceration of the applicant is causing hardship to the applicant. The investigation is underway. Applicant is ready to cooperate in further investigation.

*Per contra*, learned counsel for the State opposes the application on the ground of gravity of alleged offence. However, after going through the case diary, he fairly states that no criminal antecedent is reported against the applicant.

According to the material available on case diary, Sub-Inspector of PS Sarangpur conducted a raid at the house of Raees Khan @ Raees Kala on secret information at War No.13 Golawadi, Sarangpur. The narcotic contraband Smack quantity 16 grams were recovered from the pocket of salwar of the present applicant Rukhsar, wife of Raees Khan. The veracity of prosecution will be determined after evidence in the trial. As informed, the applicant is aged around 33 years and is labourer by profession and has the family responsibility of aged parents and young children.

Considering these aspects, there appears to be no possibility of fleeing from justice. In absence of any criminal antecedent, considering the socio economic status of the applicants, there appears to be no likelihood of tampering with evidence or influencing the witnesses by the applicant. There appears to be no compelling reason to continue incarceration of the applicant. However, the observations, herein-above, are recorded for present application only.

Considering the rival contentions and overall circumstances of the case, in the light of aforestated facts, but without commenting on the merits, this Court is inclined to release the applicants on bail. Thus, the application is allowed.



Accordingly, it is directed that **applicant Rukhsar @ Ruksar** shall be released on bail in connection with Crime No.295/2025 registered at Police Station - Sarangpur, District Rajgarh(M.P.) for offence punishable under Section 8/21 of NDPS Act upon furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with one solvent surety of the same amount to the satisfaction of the Trial Court, for compliance with the following conditions : (For convenience of understanding by accused and surety, the conditions of bail are also reproduced in Hindi as under):-

(1) Applicant shall remain present on every date of hearing as may be directed by the concerned court;

(1) आवेदिका संबंधित न्यायालय के निर्देशानुसार सुनवाई की प्रत्येक तिथि पर उपस्थित रहेगी ।

(2) Applicant shall not commit or get involved in any offence of similar nature;

(2) आवेदिका समान प्रकृति का कोई अपराध नहीं करेगा या उसमें सम्मिलित नहीं होगी ।

(3) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them/him/her from disclosing such facts to the Court or to the police officer;

(3) आवेदिका प्रकरण के तथ्यों से परिचित किसी व्यक्ति को प्रत्यक्ष या अप्रत्यक्ष रूप से प्रलोभन , धमकी या वचन नहीं देगा , जिससे ऐसा व्यक्ति ऐसे तथ्यों को न्यायालय या पुलिस अधिकारी को प्रकट करने से निवारित हो ।

(4) Applicant shall not directly or indirectly attempt to tamper with the evidence or allure, pressurize or threaten the witness;

(4) आवेदिका प्रत्यक्ष या अप्रत्यक्ष रूप से साक्ष्य के साथ छेड़छाड़ करने का या साक्षी या साक्षियों को बहलाने-फुसलाने, दबाव डालने या धमकाने का प्रयास नहीं करेगी ।

(5) During trial, the applicant shall ensure due compliance of provisions of



Section 309 of Cr.P.C./346 of Bharatiya Nagarik Suraksha Sanhita, 2023 regarding examination of witnesses in attendance;

(5) विचारण के दौरान, उपस्थित गवाहों से परीक्षण के संबंध में आवेदक धारा ३०९ दं. प्र.सं./ ३४६ भारतीय नागरिक सुरक्षा संहिता, 2023 के प्रावधानों का उचित अनुपालन सुनिश्चित करेगी।

This order shall be effective till the end of trial. However, in case of breach of any of the preconditions of bail, the Trial Court may consider, on merit, cancellation of bail without any impediment of this order.

The trial Court shall get these conditions reproduced on the personal bond by the accused and on surety bond by the surety concerned. If any of them is unable to write, the scribe shall certify that he/she had explained the conditions to the concerned accused or the surety.

C.C. as per rules.

(SANJEEV S KALGAONKAR)  
JUDGE