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MCRC-2761-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI

ON THE 22nd OF JANUARY, 2025MISC. CRIMINAL CASE No. 2761 of 2025*ARVIND @ BHAIYYA**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Shri Nilesh Dave, learned counsel for the applicant.

*Shri Rajendra Singh Suryavanshi, learned Public Prosecutor for the
respondent/State.*

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ORDER

This first bail application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (equivalent to Section 439 of Cr.P.C.) has been filed by the applicant - **Arvind @ Bhaiyya S/o Mannalal Badnaware** for grant of regular bail, who has been arrested on 18.11.2024 in connection with Crime No.120/2024, registered at Police Station Crime Branch, District Indore (M.P.) for commission of offence under Section 8/20 of NDPS Act.

2. As per prosecution case, the allegation against the applicant is that 6.214 Kg of Ganja has been recovered from the possession of the present applicant on 17.11.2024. Accordingly, offence has been registered against him.

3. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the crime. There is no sufficient



evidence available on record to establish the complicity of the accused with the alleged crime. There is no criminal antecedents against the applicant. Investigation is complete and charge sheet has been filed. There is no likelihood of his absconsion leaving his family, home and profession and also there is no likelihood of tampering with evidence by applicant. Final conclusion of the trial will take considerable long time, therefore, learned counsel prays for allowing the bail application and for grant of bail.

4. Per contra, learned counsel for the respondent / State has vehemently opposed the prayer and prays for dismissal of the bail application.

5. Heard learned counsel for the parties and perused the case diary.

6. In the aforesaid factual backdrop, this Court is inclined to grant benefit of bail to the applicant. Accordingly, without commenting on the merits of the case, the bail application is allowed.

7. It is directed that the applicant be released on bail upon his furnishing personal bond in the sum of Rs.1,00,000/- (Rupees One Lac Only) with separate solvent surety in the like amount to the satisfaction of the trial Court, for his regular appearance before the concerned Court on all the dates fixed by the said Court, without any default, during trial. He shall abide by all the conditions enumerated under Section 480(3) of BNSS.

8. The applicant will not indulge himself in any criminal activity in future. This order shall be effective till the end of the trial, however, in case of bail jump and / or breach of any of the conditions of bail, this order will come to an end and applicant will be liable to be arrested by the concerned



authorities.

9. The concerned Court shall get the 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 had explained the conditions to the concerned accused or the surety.

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

Certified copy as per rules.

(BINOD KUMAR DWIVEDI)
JUDGE

RJ