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MCRC-40787-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 23rd OF SEPTEMBER, 2025MISC. CRIMINAL CASE No. 40787 of 2025*SUNDERLAL RAWAT**Versus**UNION OF INDIA*

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Appearance:

Shri Nilesh Dave - Advocate for the applicant.

Shri Manoj Kumar Soni-Adv. for the respondent [R-1].
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ORDER

1] They are heard and perused the case diary.

2] This is the applicant's third bail application filed under Section 483 of *Bharatiya Nagarik Suraksha Sanhita, 2023*/ Section 439 of Cr.P.C. as he is implicated in connection with Crime No.15/2023, registered at Police Station Central Narcotics Bureau, Neemuch District- Neemuch (MP) for offence punishable under Sections 8/15(C), 8/18(C), 25 and 29 of N.D.P.S. Act. The applicant is in custody since 19.05.2023.

3] The allegation against the applicant is that he was found in possession of 161.650 kg of poppy straw and 10 gm of Opium along with the five other accused persons.

4] Counsel for the applicant has submitted that the other accused persons have been granted bail by this Court. Counsel has also submitted that co-accused *Vijaypal* has been granted bail by the Supreme Court in *Petition for Special Leave to Appeal (Crl.) No.6486 of 2025 dated 23.05.2025*.

5] Counsel for the respondent has opposed the prayer, and it is submitted that against the other co-accused persons, the allegation was of piloting only; whereas the



contraband has been seized from the conscious possession of the present applicant only.

6] In rebuttal, counsel for the applicant has submitted that seizure has been made from all the five accused persons and the applicant is lodged in jail since last more than two years and four months and only five witnesses, out of 15 witnesses, have been examined. Thus, it is submitted that the applicant has made out a case for grant of bail on the ground of period of incarceration.

7] Having considered the rival submissions, perusal of the case-diary, and taking note of the fact that there are no other criminal antecedents, this Court is inclined to allow the present application.

8] Accordingly, without commenting on the merits of the case, the application filed by the applicant is hereby **allowed**. The applicant is directed to be released on bail upon furnishing a personal bond in the sum of **Rs.25,000/- (Rupees Twenty Five Thousand)** with one solvent surety of the like amount to the satisfaction of the trial Court for his/her regular appearance before the trial Court during trial with a condition that he / she shall remain present before the court concerned during trial and shall also abide by the conditions enumerated under Section 437 (3) Criminal Procedure Code, 1973.

9] Accordingly, the application is **allowed** and **disposed of**.

C.c. as per rules.

(SUBODH ABHYANKAR)
JUDGE