

THE HIGH COURT OF MADHYA PRADESH**M.Cr.C No.41345/2018**

(Sheikh Haneef vs. State of M.P.)

Jabalpur, Dated 12.11.2018

Shri Vishal Daniel, learned counsel for the applicant.

Shri A.P.Singh, learned Govt. Advocate for respondent-State.

Heard.

Case diary perused.

This is the first bail application filed by the applicant-accused under Section 439 of the Cr.P.C. for grant of bail who is in custody since 26.09.2018 in connection with Crime No.468/18 registered at Police Station Chhapara, District Seoni for the offence under Section 8/20 of the NDPS Act.

The allegation against the applicant is that 1 kilogram & 450 grams of contraband (*Ganja*) has been seized from the possession of the applicant which is more than smaller quantity but less than commercial quantity.

It is submitted on behalf of the applicant that the applicant is innocent. He is in custody since 26.09.2018. It is also submitted that no other offence of similar nature has been registered against the applicant. The trial will take considerable time in disposal of the case. On these ground prayer is made to enlarge the applicant on bail.

Learned counsel for the State has opposed the bail application and prayed for its rejection, however, submits that there is no criminal antecedent of the applicant.

In view of the facts and circumstances of the case and the fact that no other offence of similar nature has been registered against the applicant, this application is *allowed* and it is ordered that the applicant-accused be released on bail on his furnishing a personal bond for the sum of ***Rs.1,00,000/-*** (One Lac) with one solvent surety

in the like amount to the satisfaction of the trial court for securing his presence before the said Court on all the dates of hearing fixed in this regard during trial and for complying with the conditions enumerated in sub-section (3) of Section 437 of Cr.P.C.

This order shall remain effective till the end of the trial but in case of bail jump it shall become ineffective.

Certified copy as per rules.

(Akhil Kumar Srivastava)
Judge

anand