

Lalit Pandey Vs State Of Madhya Pradesh

Court: Madhya Pradesh High Court (Gwalior Bench)

Date of Decision: Aug. 7, 2023

Acts Referred: Narcotic Drugs And Psychotropic Substances Act, 1985 â€” Section 8, 20
Code Of Criminal Procedure, 1973 â€” Section 437(3), 439

Hon'ble Judges: Satyendra Kumar Singh, J

Bench: Single Bench

Advocate: H.S. Rana, Girdhari Singh Chauhan

Final Decision: Allowed/Disposed Of

Judgement

Satyendra Kumar Singh, J

1. Perused the case diary.

2. This is first application filed under Section 439 of Cr.P.C for grant of bail to the applicant, as he has been arrested on 26.06.2023 in connection with

Crime No.108/2023 registered at Police Station Chinore, District Gwalior (M.P.) for commission of offence punishable under Section 8/20 of NDPS

Act.

3. Prosecution case, in brief, is that on 26.6.2023 the applicant was found having two Kgs. of cannabis (Ganja) for the purposes of sale without having

any license.

4. Learned counsel for the applicant submits that the applicant is innocent and has falsely been implicated in the matter. He further submits that

nothing has been seized from the possession of the applicant. The contraband said to be seized from the possession of the applicant is non-commercial

quantity. The applicant is in custody since 26.06.2023. His custodial interrogation is no more required. He has no criminal past record. Trial will take

time for its conclusion. Hence, prayer is made to enlarge the applicant on bail.

5. Learned counsel for the respondent/State opposes the application and prayed for its rejection.

6. Having considered the rival submissions, place of seizure, quantity of contraband said to be seized from the possession of the applicant which is non-

commercial quantity, period of custody so also other facts and circumstances of the case, without commenting anything on the merits of the case, the

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 a

solvent surety in the like amount to the satisfaction of the concerned Court for his appearance before the Trial Court on all such dates as may be fixed

in this behalf by the Trial Court during the pendency of trial. It is further directed that applicant shall comply with the provisions of Section 437 (3) of

Cr. P. C.

8. This application is allowed and stands disposed of.

9. Certified copy, as per Rules.