

Mukarram Hussain vs State Of Rajasthan on 16 August, 2021

Bench: Sanjay Kishan Kaul, Hrishikesh Roy

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IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 827 OF 2021
(Arising out of SLP(Crl.) No. 211/2021)

MUKARRAM HUSSAIN

APPELLANT (

VERSUS

STATE OF RAJASTHAN & ANR.

RESPONDENT(S)

O R D E R

Leave granted.

The limited issue is of grant of bail to the appellant in Crime No. 01/2020 of the Central Narcotics Bureau, Jaipur(Rajasthan) for offences under Section 8/21, 8/22 and 8/25 of the Narcotics and Psychotropics Substances Act, 1985.

It is not in dispute that a commercial quantity has been recovered from the premises which is owned by the appellant but the appellant had leased out that premises next to his place of residence to the co-accused.

It is a fact that the co-accused is stated to have been carrying on businesses in different premises and the statement of the appellant and the co-accused are ad idem on the issue that the appellant had let out the premises to the co-accused. The only thing against the appellant was there was no written agreement. The aforesaid being the position, we are of the view that the appellant is liable to be enlarged on bail on the terms and conditions to the satisfaction of the trial Court.

Ordered accordingly.

The appeal stands disposed of accordingly.

.....J. [SANJAY KISHAN KAUL]J. [HRISHIKESH ROY] NEW DELHI;

AUGUST 16,2021.

ITEM NO.33

Court 6 (Video Conferencing)

SECTION II

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Petition for Special Leave to Appeal (Crl.)

No. 211/2021

(Arising out of impugned final judgment and order dated 22-09-2020 in SBCRMBA No. 2259/2020 passed by the High Court Of Judicature For Rajasthan At Jaipur) MUKARRAM HUSSAIN Petitioner(s) VERSUS STATE OF RAJASTHAN & ANR. Respondent(s) (FOR ADMISSION and I.R) IA No. 58339/2021 - INTERIM BAIL) Date : 16-08-2021 This matter was were called on for hearing today. CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL HON'BLE MR. JUSTICE HRISHIKESH ROY For Petitioner(s) Mr. Pashupathi Nath Razdan, AOR Mirza Kayesh Begg, Adv.

Mohd. Shakeib Naru, Adv. Ms. Oorjasvi Goswami, Adv. Ms. Maitreyee Jagat Joshi, Adv.

For Respondent(s) Mr. Rahul Kumar, Adv.

Mr. Hemant Sharma, Adv.

Ms. Kavita Bhardwaj, Adv. Mr. Milind Kumar, AOR Mr. S.V. Raju, Ld. Asg Ms. Sairica Raju, Adv.

Mr. Rahul Mishra, adv.

Mr. Ashutosh Ghade, Adv. Mr. B. V. Balaram Das, AOR UPON hearing the counsel the Court made the following O R D E R Leave granted.

The appellant is enlarged on bail on the terms and conditions to the satisfaction of the trial Court.

The appeal stands disposed of in terms of the signed order.

[CHARANJEET KAUR] [POONAM VAID] ASTT. REGISTRAR-cum-PS COURT MASTER (NSH) [Signed order is placed on the file]