

# Ashad Ali vs The State Of Madhya Pradesh on 10 March, 2025

**Author: Maninder S. Bhatti**

**Bench: Maninder S. Bhatti**

NEUTRAL CITATION NO. 2025:MPHC-JBP:11816

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IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
BEFORE  
HON'BLE SHRI JUSTICE MANINDER S. BHATTI  
ON THE 10th OF MARCH, 2025  
MISC. CRIMINAL CASE No. 8818 of 2025  
ASHAD ALI  
Versus  
THE STATE OF MADHYA PRADESH  
Appearance:  
Shri Pushpendra Dubey - Advocate for the applicant.  
Shri Y.D. Yadav - GA for the State.

## ORDER

This is first application filed by the applicant under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail relating to FIR/Crime No. 442/2024 dated 26.7.2024 registered at Police Station Kotwali, District Shahdol for the offences punishable under Sections 8, 21 of the NDPS Act and Section 5/13 of the M.P. Drugs Control Act, 1949.

2. The counsel for the applicant contends that the applicant is innocent and has been falsely implicated in the case. Charge-sheet has been filed in the matter. As per the case of the prosecution, 400 injections of RX BUPRENORPHINE INJECTION IP. 0.3 MG/ML REXOGESIC, 400 injections of PHENIRAMINE MALEATE INJECTIOJN I.P. AVIL and 400 injections of Abbot Rx Promethazine Hydrochloride injection IP PHENERGAN (total 1200 injections) have been seized from the possession of the applicant. Though previously some cases have been registered against NEUTRAL CITATION NO. 2025:MPHC-JBP:11816 2 MCRC-8818-2025 the applicant, however, the cases under the NDPS Act have been registered on the basis of memorandum of the applicant. It is submitted that the applicant is in custody since 26.7.2024 for more than 6 months and trial will take considerable time to conclude, therefore, the applicant be released on bail.

3. Per contra, counsel for the State has opposed the application and submitted that the applicant is a recidivist. In past as many as 15 cases were registered against him and even the proceedings under the M.P. Rajya Suraksha Adhiniyam, 1990 were also taken recourse to and the applicant was directed to remain outside the territorial limits of the Districts mentioned in the order for a period

of one year. Still the applicant did not mend his ways and continued to indulge in serious offences including the offences under the provisions of the NDPS Act. It is submitted that if the applicant is released on bail, in all likelihood, he will again commit the same kind of offences. Therefore, no case for bail is made out to the applicant.

4. Heard the submissions and perused the case diary.

5. Considering the totality of the facts and circumstances of the case, period of custody of the applicant and charge-sheet has been filed, therefore, applicant is no more required for custodial interrogation, this Court deems it to be a fit case to release the applicant on bail. Therefore, without expressing any view on the merits of the case, the application is allowed.

6. It is directed that the applicant shall be released on bail on furnishing a personal bond in a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like amount to the satisfaction of the trial Court NEUTRAL CITATION NO. 2025:MPHC-JBP:11816 3 MCRC-8818-2025 concerned for his appearance before the said Court on all such dates as may be fixed in this regard during the pendency of trial.

7. It is further directed that the applicant shall comply with the provisions of Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

8. The applicant is directed to appear before the SHO concerned in the first week of every month without fail. The SHO concerned shall monitor the conduct of the applicant and if any overt act is noticed at the behest of the applicant, he shall immediately report the same to the trial Court concerned and the trial Court concerned shall be at liberty to take steps for arrest of the applicant.

(MANINDER S. BHATTI) JUDGE PB