

# Antar Singh vs The State Of Madhya Pradesh on 5 December, 2024

**Author: Subodh Abhyankar**

**Bench: Subodh Abhyankar**

NEUTRAL CITATION NO. 2024:MPHC-IND:34534

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IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE  
BEFORE  
HON'BLE SHRI JUSTICE SUBODH ABHYANKAR  
ON THE 5<sup>th</sup> OF DECEMBER, 2024  
MISC. CRIMINAL CASE No. 51892 of 2024  
ANTAR SINGH  
Versus  
THE STATE OF MADHYA PRADESH

Appearance:  
Shri Sachin Parmar - advocate for the applicant.  
Shri Rajwardhan Gawde -GA/PL appearing on behalf of A  
General.

ORDER

1] They are heard. Perused the case-diary.

2] This is the first bail application filed by the applicant under Section 483 BHARTIYA NAGRIK SURAKSHA SANHITA, 2023/Section 439 of Criminal Procedure Code, 1973, as he is implicated in connection with Crime No.20/2023 registered at Police Station Narcotic Cell, District Indore Branch Neemuch (MP) for offence punishable under Sections 8,15 and 29 of THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES, ACT, 1985. The applicant is in custody since 2.11.2024. 3] The allegation against the applicant is that he was also involved in the present case wherein 6 quintal of poppy straw has been seized from the possession of co-accused Babu Singh @ Goverdhan Singh @ Sultan. 4] Counsel for the applicant has submitted that the applicant has been arraigned only on the basis of the memorandum statement of other co-accused persons recorded under Section 23(2) of the Bhartiya Shakshya Adhiniyam 2023 as the person, who had supplied the contraband to co-accused Babu Singh @ Goverdhan @ Sultan. It is further submitted that the applicant has been subsequently arrested on 2.11.2024 and apart from the NEUTRAL CITATION NO. 2024:MPHC-IND:34534 2 MCRC-51892-2024 memorandum statement of the co-accused persons recorded under 23(2) of the Bhartiya Shakshya Adhiniyam 2023/Section 27 of the Evidence Act, 1872 nothing has been recovered from the applicant nor any incriminating material has been

found to be present after the applicant was arrested. It is further submitted that the applicant, who himself had surrendered before the trial Court be released on bail. It is further submitted that the applicant is lodged in jail since 2.11.2024, and the final conclusion of trial is likely to take sufficient long time. Thus, it is prayed that the application be allowed. 5] Counsel for the State has opposed the prayer. However, it is not denied that no incriminating material has been found from the present applicant. 6] Having considered rival submissions, perusal of the case-diary and that the applicant is lodged in jail since 2.11.2024 and also taking note of the fact that no incriminating material has been found from the present applicant and the final conclusion of trial will take sufficient long time, this Court is inclined to allow the application.

7] Accordingly, without commenting anything on merits of the matter, the present application for grant of bail is allowed. The applicant is directed to be released on bail upon his furnishing a personal bond in the sum of Rs.50,000/- (Rupees fifty Thousand) with one solvent surety in the like amount to the satisfaction of the Trial Court for his appearance, as and when directed and shall also abide by the conditions enumerated under Section 437 (3) Criminal Procedure Code, 1973.

8] Accordingly, the MCRC stands allowed.

(SUBODH ABHYANKAR) JUDGE das