

IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR
BEFORE
HON'BLE SMT. JUSTICE ANJULI PALO
ON THE 2nd OF FEBRUARY, 2022

MISC. CRIMINAL CASE No. 2524 of 2022

Between:-

1. RAHUL ISLAM KHAN

2. BABLU @ BALLU KHAN

.....PETITIONERS

(BY SHRI B.J.CHOURASIA, ADVOCATE)

AND

THE STATE OF MADHYA PRADESH THR. P.S.
CITY KOTWALI DISTT. REWA (MADHYA
PRADESH)

.....RESPONDENT

(BY SHRI D.K.KHARE, PANEL LAWYER FOR THE STATE)

(Heard through Video Conferencing)

*This petition is coming on for admission this day, the court passed
the following:*

ORDER

This is second bail application under Section 439 of the Cr.P.C. filed on behalf of the applicants who are in custody since 10.03.2021 in connection with Crime No. 169/2021 registered at Police Station City Kotwali, District Rewa (MP) for offence punishable under Sections 8, 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 5/13 of the MP Drug Control Act. The previous application was dismissed as withdrawn vide order dated 29.06.2021 passed in M.Cr.C.No. 19661/2021.

As per the case of the prosecution, the police intercepted Bolero Car bearing registration No. UP-63-AB-2991 and allegedly, seized 330 bottles of the contraband Onrex Cough Syrup from the possession of the applicants

and co-accused person.

Learned counsel for the applicants submits that applicants have been falsely implicated in the case. There is no direct or indirect allegation against the applicants as no contraband material was seized from their possession. They are in custody since 10.03.2021. Hence, it is prayed that the applicants be also released on bail.

Learned Panel Lawyer for the State has opposed the application.

The Supreme Court in the case of **Gurudev Singh Vs. State of Punjab (Criminal Appeal No. 375/2021)** has observed that in a murder case, the accused commits murder of one or two persons, while those persons who are dealing in narcotic drugs are instruments in causing death or in inflicting death blow to number of innocent young victims who are vulnerable; it cause deleterious effects and deadly impact on the society; they are hazard to the society. Organized activities of the underworld and the clandestine smuggling of narcotic drugs and psychotropic substances into this country and illegal trafficking in such drugs and substances shall lay to drug addiction among a sizeable section of the public, particularly the adolescents and students of both sexes and the menace has assumed serious and alarming proportions in the recent years.

In view of the observations made by the Supreme Court and looking to the increasing number of such cases in society and its adverse effect on the young generation now-a-days, I do not find it a fit case to release the applicants on bail.

The application is hereby dismissed.

(SMT. ANJULI PALO)
JUDGE

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