

Man Singh Vs. State of Rajasthan

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Court : Rajasthan

Decided On : Mar-29-2000

Reported in : 2000(2)WLN717

Judge : P.P. Naolekar, J.

Appeal No. : S.B. Cri. Misc. Application No. 907 of 2000

Appellant : Man Singh

Respondent : State of Rajasthan

Judgement :

P.P. Naolekar, J.

1. The petitioner was arrested for an offence under Section 8/18 of the NDPS Act. It is alleged in the first information report that on 15.3.2000, the applicant was searched and was found carrying 48 grams of opium. It is alleged in the first information report that he was arrested on the information supplied by the Motbir that a man is carrying on business of selling opium. It does not appear that a person carrying on business of selling opium, will carry only 48 grams of opium. Apart from that it appears that the prosecution has not complied with, strictly, the provisions of Section 50 of the NDPS Act. Having considered all the facts. I direct that the petitioner shall be released on bail under Section 439 Cr. P.C.

2. It is, therefore, directed that accused petitioner Man Singh S/o Udham Singh shall be released on bail provided he furnishes a personal bond in the sum of Rs. 30,000/- (Rupees Thirity thousand) with two sureties in the sum of Rs. 15,000/- each to the satisfaction of the trial court with the stipulation to appear in that court as and when called upon to do so during the pendency of the trial against him in this case.

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