



1

MCRC-3123-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE RAMKUMAR CHOUBEY

ON THE 3rd OF FEBRUARY, 2026MISC. CRIMINAL CASE No. 3123 of 2026*BEERENDRA PATEL**Versus**THE STATE OF MADHYA PRADESH*

.....
Appearance:

Shri Mrigendra Singh Baghel, Senior Advocate with Shri Rohit Mishra, Advocate and Ms.Akanksha Singh Chauhan, Advocate for the applicant.

Shri Sourabh Shukla, Panel Lawyer for the respondent/State.
.....

ORDER

This is first bail application filed by applicant namely **Beerendra Patel** under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail relating to FIR/Crime No.229/2025 registered at Police Station Vishwavidyalaya, District Rewa, for the offence punishable under Sections 8, 30(b), 25, 25(a) of NDPS Act. Applicant is in custody since 05.07.2025.

2. As per the prosecution case, the police personnel recovered 4.48 quintal contraband i.e. *ganja*, which was loaded in a truck bearing registration No.MP20-HD-4612 owned and driven by co-accused Rohit Singh. A memorandum under Section 23 of Bharatiya Sakshya Adhiniyam, 2023 was recorded, in which, he disclosed that he had loaded the contraband



in his truck and same was intended to be re-loaded/shifted in another truck bearing registration No.MP20-HB-7207 of which the applicant was the owner. On the basis of memorandum of co-accused Rohit Singh, the applicant has also been impleaded as accused. As per the prosecution, the truck belongs to applicant was found standing adjoining to the truck from which contraband was recovered, however, nothing was found in the truck belongs to the applicant.

3. Learned senior counsel for the applicant sanguinely submits that the applicant is innocent and has been fallaciously roped in the crime only on the basis of memorandum of the co-accused and apart from that, there is no other evidence available on record, which could connect the applicant with alleged crime. It is also submitted that co-accused Umesh Singh has been admitted to bail by this Court vide order dated 22.01.2026 passed in M.Cr.C.No.2361/2026. He further submits that the applicant is rotting in jail since 05.07.2025, charge-sheet has been filed and the trial will take its usual time for conclusion. On these premise, he prays that the applicant may be granted bail.

4. In contrast, the learned counsel for the respondent/State submits that memorandum of co-accused discloses that contraband was about to be loaded in the truck belongs to the applicant. It is also revealed that the applicant and other co-accused are involved in carrying and transporting contraband since long. However, apart from memorandum, there is no other evidence available on record to connect the applicant with crime in the case at hand, but considering the syndicate of the applicant and co-accused



persons, the information disclosed through memorandum cannot be ignored at this stage. Thus, he prays for dismissal of this bail application.

5. Considering overall facts and circumstances of the case, particularly the applicant's incrimination on sole basis of memorandum, no recovery from him or his owned truck and claim of parity with co-accused Umesh Singh, this Court is inclined to enlarge the applicant on bail. Thus, without commenting anything on the merits of the case, this application is allowed.

6. It is directed that the present applicant namely **Beerendra Patel** shall be enlarged on bail upon his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand)** with a surety in the like amount to the satisfaction of the trial court concerned for his appearance before the said Court on all such dates as may be fixed in this regard during pendency of the trial.

7. It is further directed that the applicant shall comply with the provisions of Section 480 (3) of BNSS.

8. Accordingly, this M.Cr.C. stands allowed and disposed of.

(RAMKUMAR CHOUBEY)
JUDGE