

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD

CRIMINAL APPLICATION NO. 1679 OF 2016

Anant s/o Wamanrao Thavare

...Applicant

VERSUS

The State of Maharashtra

...Respondent

.....
Shri Joydeep Chatterjee, advocate h/f
Shri A.A.Yadkikar, advocate for applicant
Shri A.R.Borulkar, A.P.P. for respondent/State
.....

CORAM : INDIRA K.JAIN, J.

DATED : 3rd May, 2016

ORDER :

By this application applicant/accused seeks his enlargement on bail in Crime No. 3093 of 2015, registered at Latur (Rural) police station, for the offences punishable under Sections 20(B), (C) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2] Heard Shri Joydeep Chatterjee, learned counsel for applicant and Shri A.R.Borulkar, learned A.P.P. for State. Perused case papers.

3] It is the case of prosecution that on 7.12.2015 a Pick up Van was found in Garud Chowk Latur city carrying contraband so the vehicle was intercepted by raiding party. On search, a hidden box in

trolley of Van containing 88 Kgs. ganja was recovered. The report was made to superior officer and then P.I. Balaji Raghunath Sontakke working with Local Crime Branch, Latur lodged report.

4] During investigation name of applicant was disclosed by the co-accused. From applicant 2.75 Kgs. ganja was recovered in search. The commercial quantity of ganja as prescribed is 20 Kgs. Since the quantity of ganja recovered from applicant was less than commercial quantity this Court finds that rigours of law would not be attracted in case of applicant.

5] Applicant was arrested on 1.1.2016 and since then he is in custody. He is permanent resident of Taluka Paranda, District Osmanabad and there is no likelihood of his fleeing from justice. Charge sheet has been filed and no purpose would be served by keeping the applicant in further detention. Hence the following order.

ORDER

(i) Criminal Application No. 1679 of 2016 is allowed.

(ii) Applicant is released on bail in Crime No. 3093 of 2015, registered at Latur (Rural) police station, for the offences punishable under Sections 20(B), (C) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 on P.B. and S.B.

of Rs.50,000/- each.

(iii) Applicant shall not tamper with prosecution evidence and shall make himself available as and when required.

(iv) Bail before the Trial Court.

[INDIRA K.JAIN, J.]

dbm/crap1679.16