

Anand

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION No.88 OF 2017

Ishwar Dilip Badwane

.Applicant

Vs.

The State of Maharashtra

.Respondent

Ms Pradnya Talekar i/b. M/s. Talekar & Associates, Advocate, for
the Applicant

Mr. Deepak Thakare, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 31.03.2017

P.C.

. Heard learned counsel for the Applicant and the
learned APP for the Respondent – State.

2. By this Application, the Applicant seeks his
enlargement on bail in connection with C.R.No.105 of 2016
registered with the Azadnagar Police Station, Malegaon, District
-Nashik, for the alleged offences punishable under Sections
18(c), 18-A, 27(b)(ii) and 28 of the Drugs and Cosmetics Act,
1940 r/w.142 of the Maharashtra Police Act.

3. Learned counsel for the Applicant submits that the
only allegation as against the Applicant is that he had stocked

drugs without license. She submits that none of the drugs were found to be spurious. She submits that charge-sheet has been filed and the Applicant has been in custody since 01.10.2016. She submits that the maximum sentence which can be imposed is three years.

4. Perused the papers.

5. It is not in dispute that the drugs which were found stocked were not spurious. The only allegation against the Applicant is that the drugs were stocked by the Applicant without license. Charge-sheet has been filed and the Applicant has been in custody since 01.10.2016. There are no antecedents.

6. Considering the aforesaid, the Application is allowed and the Applicant is enlarged on bail on the following terms & conditions:-

ORDER

(i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;

(ii) The applicant shall inform his latest place of

residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(iii) The applicant to cooperate with the conduct of the trial.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)