

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.382/2017

Kudrat Khan S/o Ismail Khan

..Vs..

The State of Maharashtra, through Ajni PSO Crime Branch, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.J. Mirza, Adv. for the applicant.
Shri V.R. Thakre, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 22.6.2017.

Heard.

The applicant is arrested on 11th November, 2016 in crime registered against him, his son-in-law and one more accused for the offence punishable under Sections 20(c), 25 and 29 of the NDPS Act.

The accusations against the applicant are that on information, car owned by the applicant was stopped and after inspection of the car huge quantity of ganja weighing about 121 Kg. 600 Grams kept in a bag is seized. The investigating agency relies on the statement of co-accused Hussain Khan (son-in-law of the applicant) and third accused Rekhabai Pali to contend that the applicant is involved in the crime. Rekhabai Pali has given statement that the applicant has taken a room on lease and is paying Rs.10,000/- to her, and the room is used for stocking ganjas.

The learned Advocate for the applicant has pointed out that even as per the facts placed on record by

the investigating agency the applicant was not found on the spot at the time of seizure. The applicant has stated that he is not involved in any crime / offence. The investigation is complete and the charge-sheet is filed on 5th February, 2017. The non-applicant has not been able to show that the custody of the applicant is required for further investigation.

In the facts of the case, the following order is passed:

The applicant having been arrested in Crime No.6042/2016 registered by the non-applicant, he be released on bail on executing P.R. bond of Rs.50,000/- (Rs. Fifty Thousand) and on furnishing two solvent sureties for Rs.25,000/- (Rs. Twenty Five Thousand) each.

The application is **allowed** in the above terms.

JUDGE

Tambaskar.