

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR.

**CRIMINAL APPLICATION (BA) NO.1058 OF 2017**

Anil Trambakrao Kale, Suraksha Colony, Amravati

-vs-

State of Maharashtra, Thr. PSO, PS Dharni,

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri O. D. Kakade, Advocate for applicant.

Shri J. Y. Ghurde, APP for non-applicant/State.

**CORAM : A.S.CHANDURKAR, J.**

**DATE : November 27, 2017**

The applicant who has been arrested on 21/07/2017 in connection with Crime No.380/2017 registered with Police Station Dharni, Tah. Achalpur, Dist. Amravati for the offence punishable under Sections 20(B) and 27 of the N.D.P.S. Act and Section 409 of the Indian Penal Code seeks his release on bail.

As per the First Information Report, an information was received that accused Syed Wasim used to sell Ganja-a narcotic drug from his house. Raid was conducted and 3.4 kg of Ganja was seized. During investigation it was revealed that present applicant had purchased said Ganja from accused No.2 Abdul Salam and has sold it to accused No.1.

It is submitted on behalf of the applicant that after his arrest, the entire investigation is complete. The main accused in whose house the said narcotic drug was found has been released on bail. The quantity of the drug seized is 3.4 kg and

hence lesser than the commercial quantity. Hence the applicant is entitled to be released by imposing conditions.

The application is opposed by the learned Additional Public Prosecutor by relying upon the reply. It is submitted that despite being in service as Head Constable, the applicant has indulged in said offence. The material on record is sufficient to deny bail to the applicant.

Perused the First Information Report as well as the reply. The record indicates that the drug in question was seized from the accused No.1. Said accused has been granted bail in Criminal Application (BA) No.913/2017 by this Court. The investigation being complete and the charge-sheet having been filed, the applicant is entitled for his release. Moreover the quantity of narcotic drug is less than the commercial quantity.

Hence the applicant Anil Tryambakrao Kale who has been arrested on 21/07/2017 in connection with Crime No.380/2017 registered with Police Station Dharni, Tah. Achalpur, Dist. Amravati for the offence punishable under Sections 20(B) and 27 of the N.D.P.S. Act and Section 409 of the Indian Penal Code is directed to be released on bail on furnishing PR Bond of Rs.20,000/- (Rupees Twenty Thousand) with one surety in the like amount.

The applicant shall co-operate in completion of the trial and shall not influence the prosecution witnesses.

The observations made in this order are only for deciding

this application which is allowed and disposed of.

Pending misc. applications are also disposed of.

**JUDGE**