

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

CRIMINAL APPLICATION (BA) NO.1091 OF 2017

Arun s/o Sukhnandan Pathak, Ward No.2, Arjun Nagar, Khanjanpur, Betul, PS. Ganj, M.P.

-vs-

State of Maharashtra, Thr. PSO, PS Koradi, (NDPS Cell) Dist.Nagpur

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

Court's or Judge's Orders.

Shri S. H. Sudame, Advocate for applicant.

Shri S. M. Ghodeswar, APP for non-applicant/State.

CORAM : A.S.CHANDURKAR, J.

DATE : November 30, 2017

The applicant who has been arrested on 20/10/2017 in connection with Crime No.6034/2017 registered at Police Station Koradi, Crime Branch, Dist. Nagpur for the offence punishable under Sections 20, 29, 8(C) of N.D.P.S. Act seeks his release on bail.

As per the Report dated 14/10/2017, an information was received that certain narcotic drugs were being transported on a motorcycle. On that basis, a raid was conducted and one red motorcycle was stopped and inspected. About 10 kg of Ganja was found. On that basis an offence was registered.

It is submitted on behalf of the applicant that the incriminating material was not seized from him. He has been implicated only on the basis of certain call records and communication between the applicant and the accused. It is further submitted that the applicant has no antecedents and he is willing to furnish local surety if released on bail.

The application is opposed by the learned Additional Public Prosecutor by relying upon the reply. It is submitted that the mobile number of the applicant was disclosed by the other accused persons. Considering the seriousness of the offence, the applicant does not deserve to be enlarged on bail.

Perused the police papers. It can be seen that the narcotic drugs have been seized from other accused. Only on the basis of call records, the applicant has been implicated. I find a case has been made out for his release on bail.

Hence, the applicant Arun s/o Sukhnandan Pathak who has been arrested on 20/10/2017 in connection with Crime No.6034/2017 registered at Police Station Koradi, Crime Branch, Dist. Nagpur for the offence punishable under Sections 20, 29, 8(C) of N.D.P.S. Act, is directed to be released on bail on furnishing PR Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two local sureties in the like amount.

After his release the applicant shall furnish his contact details to the Investigating Officer. He 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