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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL BAIL APPLICATION NO.2834 OF 2017

Kalinda @Kavita Hira Karale

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.V.V.Purwant, for the Applicant.

Ms.A.A.Takalkar, A.P.P for the Respondent-State.

PSI-Rani Kate, Narcotics, Crime Branch, New Bombay.

CORAM : REVATI MOHITE DERE, J.

DATE : 16th APRIL, 2018

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks her enlargement on bail in connection with C.R.No.213 of 2017 registered with the A.P.M.C. Police Station, Navi Mumbai, for the alleged offences punishable under Sections 20, 8(c) of the Narcotic Drugs and Psychotropic Substances Act.
3. Perused the charge-sheet. According to the complainant – Police Constable, Sanjay Chaudhary, attached to the Anti Narcotic Branch,

Crime Branch, Navi Mumbai, they received a secret information that a lady, aged 42 to 45 years, was selling ganja, in the slum area, near Allahabad Bank. After completing the necessary formalities, a trap was laid by the members of the raiding party. At about 4.50 p.m., a lady of the description given by the informant was found selling packets of ganja to the customers by accepting money. Pursuant thereto, the applicant was apprehended. The applicant tried to escape, however, was held. The applicant is also alleged to have thrown the plastic bag, which was in her possession. On being apprehended, the applicant disclosed her name, pursuant to which, the applicant was informed about her right under Section 50 of the NDPS Act. Thereafter, 2 kgs and 100 gms of ganja was seized from the applicant. After investigation, charge-sheet was filed. It appears that the applicant has 3 similar antecedents, i.e. NDPS cases registered against her. It appears that whilst on bail, the present offence has been committed.

4. Considering the *prima facie* material as against the applicant and the antecedents, this is not a fit case to enlarge the applicant on bail.

5. Accordingly, the application for bail is rejected and disposed of as such. However, the trial of the applicant is expedited.

6. It is made clear that the observations made herein are *prima facie* for deciding the aforesaid application, and the learned Judge shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

(REVATI MOHITE DERE, J.)