

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

CRIMINAL BAIL APPLICATION NO. 2096 OF 2019

Vishnu Chandu Kunwar

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Sanjeev Kumar B. Deore a/w Suchita J. Jawar, Advocate for the Applicant.

Mr. Prashant Jadhav, APP for the state-respondent.

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CORAM : PRAKASH D. NAIK, J.

DATE : 25th November, 2019

PC :

1. The applicant is arrested on 15th October, 2017 in connection with offence registered with Nashik Road Police Station vide C.R. No. I 475 of 2017 for offence punishable under Section 20 of The Narcotic Drugs And Psychotropic Substances Act. (for short 'N.D.P.S.Act')
2. The case of the prosecution is that on receiving information the police raided the house of applicant. During the search 40 Kg. Ganja was recovered from the house of applicant.
3. Learned counsel for the applicant submitted that the applicant is not concerned with the recovered contraband. The bag containing the contraband was handed over to him by his friend which was kept in the house. He has no criminal antecedent. He is in custody for a

period about two years. Hence, Bail may be granted.

4. The prosecution case as stated above is that 40 Kg Ganja was recovered from the house of the applicant. The applicant was present in the house. Thus, prima facie case is made out against the applicant. In view of Section 37 of N.D.P.S. Act, no case for grant of bail is made out. However, considering that applicant is in custody for a period of two years, trial can be expedited.

ORDER

1. Bail Application No. 2096 of 2019 is rejected.
2. Trial is expedited.

(PRAKASH D. NAIK, J.)