

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

CRIMINAL APPLICATION (BA) NO.484 OF 2020

(Arvindkumar Mukund s/o Jyotinarayan Prasad Vs. The State of Maharashtra thr.
PSO PS Katol, District 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.K. Tiwari, Advocate for Applicant.
Shri C.A. Lokhande, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 9th SEPTEMBER, 2020.

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2] Heard.

3] The applicant is in custody since 08.09.2016 in connection with Crime 347/2016 registered with the Police Station Katol for offence punishable under section 8(c), 20(b), 22 and 29 of the N.D.P.S. Act r/w section 34 of the Indian Penal Code.

4] The short submission of the learned counsel Shri Tiwari is that, apart from the fact that there is no material on record to connect the applicant with the crime, accused 3 Manish, accused 5 Nikhilesh, accused 6 Nagula

Vijay, accused 10 Golu Shau, accused 12 Amitkumar and one Sukhvinder Singh, who faced graver allegations are released on bail. The statement is that the Apex Court granted bail to accused 5 Nikhilesh and the other accused were released on bail by this Court. The statement is not disputed.

5] The only allegation against the applicant is that he is an employee of the alleged kingpin accused 14 Vishnudas and was in contact with his employer. According to the prosecution the applicant arrived in Katol by train and was arrested at the railway station. It is not in dispute that nothing was seized from the applicant.

6] I am more than satisfied that on facts the case of the applicant stands on a clearly better footing than the case of the accused who are released on bail.

7] Apart from parity, *prima facie*, I do find any cogent material linking the accused to the crime alleged.

8] The application is allowed.

9] The applicant shall be released on bail on his furnishing P.R. bond in the sum of Rs.50,000/- with one local surety in the like amount.

10] The applicant shall scrupulously attend every

date of hearing. Failure to attend the court hearing may *ipso facto* entail cancellation of bail.

11] The applicant shall report at the police station having jurisdiction over his permanent residence on the 1st Monday of every month, till the hearing of the trial.

12] The order be communicated to the counsel appearing for the parties, either on the e-mail address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE