

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

***CRIMINAL INTERIM APPLICATION NO.2419 OF 2021
IN
CRIMINAL BAIL APPLICATION NO.2103 OF 2021***

Pramod Krishna Pandey ...Applicant

Versus

The State of Maharashtra and Anr. ...Respondents

Mr. Vinod Chauhan a/w Mr. Hakim Salim, for the Applicant.

Mr. A. A. Palkar, A.P.P for the Respondent No.1 – State.

Mr. Shreeram Shirsat a/w Mr. Amandeep Singh Sra, for the Respondent
No.2 – N.C.B.

CORAM : REVATI MOHITE DERE, J.

DATE : 13th OCTOBER 2021

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks his release on cash bail, in connection with C.R. No. 03 of 2015 registered with the Narcotics Control Bureau, Mumbai, for the alleged offences punishable under Sections 8(c) r/w 22(c), 28, 29 and 30 of the Narcotic Drugs and Psychotropic Substances Act, 1985. (N.D.P.S. Act).

3. Perused the papers. Vide order dated 3rd August 2021, the applicant was enlarged on bail on the following terms and conditions:-

“ORDER

- (i) *The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount;*
- (ii) *The Applicant shall report to the NCB Office on every Saturday from 11.00 a.m. to 12.00 noon, till the conclusion of the trial unless the date of the Trial Court falls on Saturday;*
- (iii) *The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;*
- (iv) *The Applicant shall remain present on every date before the Trial Court and will not seek any adjournment and will co-operate in the conduct the trial;*
- (v) *The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;*
- (vi) *The Applicant shall file an undertaking with regard to clauses (ii) to (v) in the trial Court, within two weeks of his release;*
- (vii) *If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.”*

4. Learned Counsel for the applicant submits that although the applicant has furnished solvent sureties and the same has been verified, the enquiry is still pending.

5. Learned Counsel for the respondent No.2 – N.C.B states that the N.C.B. has written to the concerned authorities in the course of enquiry for verifying whether the documents submitted by the sureties are in order. The letter written to one of the authorities of the surety shows that the flat belongs to him (surety) but the same has been given on rent.

6. Considering that the applicant has been enlarged on bail vide order dated 3rd August 2021 and continues to be incarceration because of the pendency of the enquiry, part of which is already over, the application is allowed. Accordingly, the following order is passed:-

ORDER

- (i) The applicant be released on provisional cash bail in the sum of Rs. 1,00,000/-, for a period of eight weeks;
- (ii) The applicant shall within the said period of eight weeks, comply with the rest of the conditions imposed vide order dated 3rd August 2021.

7. The application is allowed in the aforesaid terms and is accordingly disposed of.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.