

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

CRIMINAL APPLICATION (BA) NO.601 OF 2021

(Dinesh Nipen Das (In Jail) Vs. State of Maharashtra thr. PSO PS Rajura, Tah. Rajura,
Dist. Chandrapur)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. Anirudh Ananthakrishnan, Advocate for Applicant.
Mrs. K.R. Deshpande, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 11th AUGUST, 2021.

The applicant is seeking bail in connection with Crime 84/2021 registered with Police Station Rajura, District Chandrapur for offences punishable under sections 20(b), 22 of the Narcotics Drugs and Psychotropic Substances Act (NDPS Act).

2. In view of the provisions of section 37 of the NDPS Act I have scrutinized the material on record on the anvil of the twin test, and I am satisfied that a case for grant of bail is made out.

3. The *ganja* (cannabis) weighing 41.180 Kg. was found in the car, which was being driven by the applicant.

4. The co-accused one Murugan was travelling in the car which was being driven by the applicant.

5. The applicant claims to be a driver who is routinely engaged on daily/work basis and totally disclaims knowledge that the car which was intercepted, and which irrefutably is owned by co-accused Murugan, was transporting contraband.

6. *Prima facie*, there does not appear to be material on record to show conscious possession, and satisfaction can be recorded that reasonable grounds exist to believe that the applicant cannot be involved in the alleged offence.

7. Considering, that there is no adverse antecedent, a further satisfaction can be recorded that if released on bail the applicant is not likely to commit an offence under the NDPS Act.

8. The application is allowed.

9. The applicant be released on bail on furnishing personal bond of Rs.15,000/- with one solvent surety of the like amount.

10. The applicant shall not make any attempt to influence the witnesses, directly or indirectly.

11. The applicant shall not leave the country without the permission of the trial Court.

12. The application is disposed of accordingly.

JUDGE