

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

CRIMINAL APPLICATION (BA) NO. 1294 OF 2020

(Jankiram s/o Pandurang Bhandwale & Anr. vs. State of Maharashtra thr. PSO, PS Shegaon,
District - Buldhana)

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

Court's or Judge's orders.

Shri A.S. Londhe, Advocate for the applicant.
Shri H.D. Dubey, APP for the non-applicant – State.

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CORAM : PUSHPA V. GANEDIWALA, J.
JANUARY 08, 2021.

Heard Shri Londhe, learned counsel for the
applicant and Shri Dubey, learned APP for the non-
applicant – State.

2. The applicant No. 2 – Durga w/o Shankar Bangare in Crime No. 163 of 2020 dated 19.03.2020 for the offence punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as NDPS Act) registered by Shegaon, Police Station, District – Buldhana, has been released on bail by this Court vide order dated 22.12.2020.

3. The role attributed to both the applicants is that they were found in possession of Ganja

weighing 3.899 kgs. The samples of the said seized contraband was sent for Chemical Analyser's report and the report is awaited.

3. Considering the seized quantity of contraband from the present applicants i.e. just more than a small quantity, Section 37 of the N.D.P.S. Act, would not be applicable and the prosecution also could not point out any criminal antecedents against the present applicants. Furthermore, the investigation is completed and the charge sheet is also filed.

4. In these circumstances, this Court is inclined to grant bail to present applicant No. 1 and confirm bail to applicant No. 2. Hence, Criminal application is allowed on the following conditions :

(i) The interim bail granted to applicant No. 2 – Durga w/o Shankar Bangare vide order dated 22.12.2020 is hereby confirmed on the same terms and conditions.

(ii) The applicant No. 1 – Jankiram s/o Pandurang Bhandwale, shall be released on bail on executing Personal Bond of Rs.20,000/- (Rs. Twenty thousand only) with one surety in the like amount.

(iii) The applicant No. 1 shall not issue threats or tamper the prosecution witnesses.

(iv) The applicant No. 1 shall attend the concerned Police Station once in a month on every first Thursday of the month between 12.00 Noon to 2.00 PM.

7. Needless to mention that the observations made in this order are strictly for deciding the present application of the applicants and the trial Court shall not get influenced by the same and shall be free to decide the matter on its merits.

JUDGE

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