

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1792 OF 2022

Hanmant D. Shinde

...Applicant

V/s.

State of Maharashtra

...Respondent.

Mr. D.V. Sutar a/w. Ms Kavita D. Vijapure, Mr. Nirmal P. and Mr. Kiran Kulkarni for the Applicant.

Ms M.M. Deshmukh, APP for the Respondent / State.

CORAM : N.R. BORKAR, J.
DATE : 11.11.2022.

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for grant of bail.
2. The applicant came to be arrested in C.R. No. 633 of 2021 registered at Mohol Police Station, Solapur city for the offences punishable under Sections 20 and 22 of the Narcotic Drugs and Psychotropic Substance Act, 1985 (NDPS Act).
3. On the basis of secrete information, a raid was conducted and plants of Ganja were found cultivated in the agricultural field of the applicant. The total weight of Ganja plants was found to be 66 Kg 850 grams.
4. I have heard the learned counsel for the applicant and the learned APP for the respondent – State and perused the FIR.

5. It appears that while effecting seizure of alleged Ganja plants, soil attached to the roots was not removed. The weight is inclusive of soil.

6. The learned counsel for the applicant has tendered on record a copy of order passed by this Court dated 17 March 2022 in Bail Application No. 852 of 2021. Perusal of said order shows that in identical circumstances this court granted bail to the accused therein. Considering these facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No. 633 of 2021 registered at Mohol Police Station, Solapur city for the offences punishable under Sections 20 and 22 of the NDPS Act on furnishing P.R Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with one or more sureties in the like amount.

C] The applicant shall not indulge into cultivating cannabis/Ganja plants.

D] The applicant shall attend the concerned police station once in a month, i.e. on first working Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

[N.R.BORKAR, J.]