

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.407 OF 2022**

Imran Mohammed Ansari .. Applicant

Versus

The State of Maharashtra .. Respondent

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Mr.Ganesh S. Gupta with Mr.Jamal Khan for the Applicant.

Mr.S.V.Gavand, A.P.P. for the State/Respondent.

API D.R.Sonwalkar, attached to Mira Road Police Station,
present.

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CORAM: BHARATI DANGRE, J.

DATED : 26th AUGUST, 2022

P.C:-

1. The present applicant is charge-sheeted under Sections 8(C), 21(B) and 22(B) of the NDPS Act alongwith two other accused persons.

2. Heard the learned counsel for the applicant and the learned A.P.P.

The learned counsel for the applicant has placed on record an order passed in case of co-accused Anand Trivedi,

who came to be released on bail by the Special Judge on 07/12/2021. He would submit that accused No.3 Jitendra Singh is also released on bail.

3. With the assistance of the respective counsel, I have perused the charge-sheet placed on record. The charge-sheet accuses that accused No.1 was found in possession of 30 gm Mephedrone (MD). On the substance being found, when the inquiry was made with him, he led to accused No.3-Jitendra Singh, who is alleged to have been the 'supplier' of the substance. The CDR collected during the investigation, revealed that accused No.1 was in constant touch with accused No.3, and he came to be arrested on 23/09/2021.

As far as the present applicant, who is arraigned as accused No.2 is concerned, the only material compiled in the charge-sheet is, his telephonic connection with accused No.1 and it is alleged that from 22/07/2021 to 12/09/2021, 44 calls are exchanged between them. The accusation faced by the applicant is that he is close associate of the main accused-Anand Trivedi.

3. Perusal of the order passed in favour of co-accused Anand Trivedi would reveal that the learned Judge has specifically recorded that the quantity involved is a non-

commercial quantity and noting that no purpose will be served by keeping the accused behind the bar, he was enlarged on bail by imposing stringent condition of not leaving the jurisdiction of the concerned police station, without permission of the Court.

When the co-accused from whom the contraband has been recovered and another co-accused, who is alleged to be a supplier of the said contraband, are already released on bail, the applicant, from whom there is no recovery, but who is alleged to be in constant touch with accused No.1 and acting in his aid, deserves similar treatment. Hence, the following order.

: ORDER :

- (a) Application is allowed.
- (b) Applicant -Imran Mohammed Ansari shall be released on bail in connection with C.R.No.314 of 2021 registered with Mira Road Police Station on furnishing P.R. Bond to the extent of Rs.50,000/- with one or more sureties in the like amount.

The applicant shall be released on cash bail for a period of four weeks in lieu of sureties and during the said period, he shall arrange for the sureties.

(c) The applicant shall attend the concerned police station on 1st Saturday of every month between 10.00 a.m. to 12.00 noon.

(d) The applicant shall not leave the jurisdiction of the concerned police station, without permission from the Special Court.

(e) Within one week from the date of his release, the applicant shall furnish his residential address and the contact number to the Investigating Officer.

(f) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(SMT. BHARATI DANGRE, J.)