

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

CRIMINAL APPLICATION NO. 164 OF 2022

Abdaral Gafoor Gazi	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Amol Mhatre a/w. Mr. Sameer Mhatre
for the Applicant.
Mr. N.B. Patil, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 05th MAY, 2022.

P. C. :-

. By this Application, the Applicant has sought release on cash bail for a period of four weeks.

2. The records reveal that the Applicant was arrested in C.R.No.II-15/2021 registered with Nerul Police Station for offences punishable under sections 8(C), 20(B) of Narcotic Drugs and Psychotropic Substances (NDPS) Act. He was in possession of non commercial quantity of contraband substance.

3. By order dated 07/06/2021, the learned Special Judge (NDPS), Thane had granted bail to the Applicant and directed to release the

Applicant on furnishing P.B. & S.B. in the sum of Rs.50,000/-. The Application filed by the Applicant to permit him to furnish provisional cash surety has been rejected by the learned Special Judge.

4. Mr. Amol Mhatre, learned counsel for the Applicant states that the Applicant have no adult male member in the family and his wife is unable to arrange for the surety. As a result, the Applicant remained in custody for almost 1 ½ year since the date of grant of bail.

5. Considering the facts and circumstances of the case and in the interest of justice, the following order is passed :-

(a) The Applicant is permitted to furnish cash surety in the sum of Rs.50,000/- for a period of four weeks. During the said period, the Applicant shall comply with the condition no.2 of the order dated 07/06/2021.

(b) The Applicant shall furnish his permanent address and temporary address, if any, to the Investigating Officer.

(c) The Applicant shall not change his place of residence without prior permission of the Special Court.

(d) The Applicant shall report to the Investigating Officer on every Monday between 11:00 a.m. to 02:00 p.m. till the time the surety is furnished.

6. The Application stands disposed of in above terms.

**PREETI
H JAYANI**

(SMT. ANUJA PRABHUDESSAI, J.)

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