

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

**CRIMINAL BAIL APPLICATION NO.1399 OF 2020**

Aniket Pankaj Joshi

..Applicant

V/s.

The State of Maharashtra

..Respondent

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Mr. Akshay H. Bankapur for the Applicant.

Mrs. M.R. Tidke, APP for the Respondent/State.

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**CORAM : C.V. BHADANG, J.**

**DATE : 7<sup>th</sup> JANUARY 2022  
(Through Video Conference)**

**P.C.**

1. This is Application for Bail. The Applicant is Accused No.10 in offence of Crime No.696 of 2019 registered with Nashikroad Police Station for the offences punishable under Sections 8(c), 20(b)(ii)(c) and 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The prosecution case is that on 5<sup>th</sup> November, 2019 on prior information a raid was conducted in which two Swift Cars and one Indigo car were intercepted which were found carrying 203.45 kgs. Ganja worth Rs.20,54,500/-. It appears that Accused Nos.1 to 9 were arrested on the allegation that they were found to be in possession of the said Ganjja.

3. It was on the basis of the information from arrested Accused Nos.1 to 9, it was revealed that the Gajja was procured for being supplied to the present Applicant Aniket @ Tikya and Balu Lokhande who is Accused No.11. The present Applicant came to be arrested on 18<sup>th</sup> November, 2019 purportedly on the basis of statement and disclosure made by the arrested Accused Nos.1 to 9. According to the prosecution, it was revealed in the investigation that the present Applicant had managed to procure the said contraband on say of Balu Lokhande from one Pinko Boro resident of Orissa. It was also revealed that the present Applicant had transferred money on line to Pinko Boro.

4. According to prosecution, Accused Pinko Boro is absconding. The Investigating Officer managed to obtain the bank statement of account of Pinto Boro which *prima facie* does not show any transaction of transfer of money from present Applicant to Pinko Boro. Admittedly, there is no recovery of any contraband from the present Applicant. He has been implicated on the statement of co-accused. Learned counsel for the Applicant pointed out that Accused Balu Lokhande has been granted pre-arrest bail by the learned Sessions Judge. He further submitted that the Applicant is the permanent resident of Nashik and Investigation is complete and chargesheet is filed.

5. Considering overall circumstances and particularly having regard to the fact that there is no recovery of any contraband from the Applicant, the following order is passed;

**ORDER**

- i) The Applicant be released on bail in Crime No.696 of 2019, on his executing a PR Bond in the sum of Rs.25,000/- with one more sureties in the like amount.
- ii) The Applicant shall attend the trial punctually on every date.
- iii) The Applicant shall not tamper with prosecution evidence or witnesses.
- iv) Bail bonds to be furnished before the learned special Judge.

6. Criminal Bail Application is disposed of in the aforesaid terms.

(C.V. BHADANG, J.)