

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

BAIL APPLICATION NO. 4289 OF 2021

Sureshkumar Mohanram Bishnoi ..Applicant

v/s.

The State of Maharashtra ..Respondents

Mr. Dilip Mishra i/b. Ayaz Khan for the Applicant.
Mrs. Rutuja Ambekar, APP for the State.

**CORAM : ANUJA PRABHUDESSAI,J.
DATED : 24th MARCH, 2022.**

P.C.

1. This is an application under Section 439 Cr.P.C. filed by the aforesaid Applicant, who is facing trial before the NDPS Court, Thane, in Special Case No. 747 of 2021 for offences under section 8(c), 15(b) & 17(b) of NDPS Act, 1895.

2. Heard Mr. Mishra, learned Counsel for the Applicant and Mrs. Ambekar, learned APP for the State.

3. It is the case of the prosecution that on 9.9.2021, an information was received that some person would be coming near LIC School Road, Turbhe Village, APMC Market, Navi Mumbai for

selling Poppy straw (Narcotic drug). Accordingly, a team was formed and the Applicant was apprehended. Upon taking his personal search, he was found in possession of 6.500 kg poppy straw and 380 gm opium.

4. The contraband substance recovered from the Applicant is undisputedly of non-commercial quantity. The charge is not yet framed, and in view of the large pendency of cases, the trial is not likely to commence in near future. Considering the circumstances, the Applicant is entitled for bail. Hence the application is allowed on the following terms and conditions:-

(i) The Applicant abovenamed, who is facing trial before the NDPS Court, Thane in Special Case No. 747 of 2021, be released on bail on furnishing Bail Bond of Rs.50,000/- (Rupees Fifty Thousand Only) with one or two solvent sureties in the like amount, to the satisfaction of the learned Judge, NDPS Court, Thane.

- (ii) After release from jail, the Applicant shall report to the Investigating Officer or Sr. P.I. of the police station on the first Monday of every month between 10.30 a.m. to 2.00 p.m. until further orders;
- (iii) The Applicant shall attend all the dates before the Trial Court till conclusion of the trial.
- (iv) The Applicant shall not tamper with the evidence in any manner;
- (v) The Applicant shall provide his permanent as well as temporary address, if any, and his contact details to the Investigating Officer and in the bail bond;
- (vi) The Applicant shall not change his residential address without prior intimation to the Investigation Officer.

PRASANNA P
SALGAONKAR

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signed by
PRASANNA P
SALGAONKAR
Date:
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(ANUJA PRABHUDESSAI, J.)