

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (BA) NO.130 OF 2022**

Mustakin Khan s/o Karim Khan

Vs.

The State of Maharashtra through P.S.O. Yashodranagar, Nagpur

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders

Court's or Judge's orders

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Mr. Sk. Sabahat Ullah, Advocate for applicant.

Mrs. S. Haider, APP for non-applicant/State.

**CORAM : AVINASH G. GHAROTE, J.**

**DATE : 11/03/2022**

1. Heard Mr. Ullah, learned counsel for the applicant and Mrs. Haider, learned APP for non-applicant/State.

2. The applicant is arraigned for the offence punishable under Sections 19 and 20 of the Narcotics Drugs and Psychotropic Substances Act, 1985 (for short "the N.D.P.S."). The incident is dated 19.10.2019. The applicant is arrested on the same day. The charge-sheet has been filed on 22.12.2019.

3. Mr. Ullah, learned counsel for the applicant submits, that Ganja seized from the applicant is only 1.553 Kg., which is an intermediate quantity, considering the fact, that he has been incarcerated for more than three years, he ought to be released on bail.

4. Mrs. Haider, learned APP for non-applicant/State, opposes the application and by inviting my attention to the crime chart submits, that the release of the applicant would not be in the larger interest.

5. The applicant was found with 1.553 Kg Ganja on 19.10.2019. The C.A. report dated 15.11.2019 indicates, that what has been found is Ganja. Therefore, there is no doubt about the same. The crime chart indicates, that the applicant has serious criminal antecedents in as much as there are 50 offences under various provisions of the Indian Penal Code registered against him. Considering the above, I am not inclined to accept the application and enlarge the applicant on bail.

6. The Criminal Application is rejected.

**JUDGE**

*Sarkate*