

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

CRIMINAL APPLICATION (BA) NO.501 OF 2022

Maroti S/o Bapurao Hiwrale

Versus

State of Maharashtra, through P.S.O., P.S. Kharangana, Dist. Wardha

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M.V. Rai, Advocate for the applicant.

Ms Shamsi Haider, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 14/06/2022

1. The applicant is seeking bail in Crime No.852 of 2021, dated 26.11.2021, registered with Police Station Kharangana, District: Wardha, for the offences punishable under Sections 8(c) and 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Shri Rai, learned counsel for the applicant submits that Ganja was allegedly recovered from the house of the applicant weighing 1kg 354 grams worth Rs.15,000/-. It is submitted that the quantity is not a commercial quantity. It is pointed out that there are no criminal antecedents.

3. It is submitted that the applicant is in jail since the date of offence i.e. 26.11.2021. It is further submitted

that after completion of investigation, in this case, the charge-sheet has been filed and no further custody of the applicant is necessary.

4. On the other hand, Ms Shamsi Haider, learned APP strongly opposes the present application and prays for rejection of the same.

5. I have perused the charge-sheet and also the contents of the First Information Report (FIR).

6. The investigation has been completed and the charge-sheet is filed, as such the custody of the applicant is no more required. The quantity of the contraband seized from the applicant is not a commercial quantity. There are no criminal antecedents to the discredit of the applicant. Moreover, there is nothing to show that the applicant would pressurize the prosecution witnesses or tamper with the prosecution evidence or he will not be available for the trial, if he is released on bail. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that the applicant shall be released on bail in Crime No.852 of 2021, registered with Police Station Kharangana, District

Wardha, for the offences punishable under Sections 8(c) and 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.

- c) The applicant shall attend the concerned Police Station as and when his presence is required.
- d) The applicant shall not tamper with the prosecution witnesses.
- e) The applicant shall not leave the jurisdiction of the concerned Police station without permission of the Court.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]