

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

Criminal Application (BA) No. 904 of 2022

Kamal Singh S/o Hanuman Singh

Versus

Directorate of Revenue, through its Intelligence Officer, Directorate of
Revenue Intelligence, Nagpur

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

Court's or Judge's Order

Shri B.B.Pantawane, Advocate for the applicant.

Shri S.N.Bhattad, Advocate for the non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 24th August, 2022.

The applicant is seeking bail under Section 439 of the Code of Criminal Procedure in F.No.DRI/MZU/NRU/INT-94/2019 registered with Directorate of Revenue Intelligence, Nagpur for the offence punishable under Sections 8(c), 20, 28 & 29 of N.D.P.S.Act.

2. Learned counsel for the applicant submits that nothing has been recovered from the applicant, whereas, the only allegation is that, he was escorting the vehicle i.e. truck wherefrom 1470 kg Ganja, worth Rs.2,20,50,000/- was seized.

3. He further submits that the applicant is in jail since last three and half years and there is no possibility that in near future trial will commence. Accordingly, he prays for grant of bail.

4. On the other hand Shri Bhattad, learned Additional Public Prosecutor has strongly opposed the application and submits that the quantity of Ganja is 1470 kg worth Rs.2,20,50,000/- and there is sufficient material which indicates that the applicant is involved in the alleged offence.

5. He further submits that the applicant is involved in the similar offence and if the applicant is released on bail, he may repeat the offence.

6. I have perused the chargesheet and the application.

7. Considering the huge quantity of Ganja which was seized and the role of the applicant in the alleged offence in the light of the material collected by the Investigating Officer and further antecedents of the applicant, I am not inclined to grant bail to the applicant.

8. Furthermore, in view of the judgment in the case of Narcotics Control Bureau Vs. Mohit Aggarwal¹ and the observations made by the Hon'ble the Supreme

¹ 2022 LiveLaw (SC) 613

Court of India in the said case, the submission of the applicant that he is in jail since last three and half years and there is no possibility that the trial would commence in near future, will not help the applicant to get the bail on the said ground. Accordingly, I pass the following:

- i. Criminal application is **rejected**.

[ANIL S. KILOR, J.]

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