

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

CRIMINAL APPLICATION (BA) NO. 1149 OF 2022

Manish Vinodrao Joshi

Versus

State of Maharashtra, through P.S.O., P.S. Sadar, Nagpur.

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

Court's or Judge's Order

Shri N.B.Jawade, Advocate for the applicant.

Shri S.D.Sirpurkar, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 03/10/2022

1. The applicant is seeking for bail in Crime No. 160 of 2021, registered with Police Station Sadar, District: Nagpur, for the offences punishable under Sections 420, 188 and read with Section 34 of the Indian Penal Code, 1860, Sections 3-C and 7 of the Essential Commodities Act, 1955 and Sections 18-C and 27-D(2) of the Drugs and Cosmetics Act, 1940.

2. In this crime, the prosecution story is that on the basis of secret information, that the applicant/accused was selling Remdesivir Injection at higher prices to the needy persons, the trap was laid and Remdesivir Injection was seized from the applicant on 24/04/2021.

3. Considering the allegation made in the FIR and the fact that, the applicant is in jail for last about one and half years, though the trial has commenced, I am of the opinion that, the applicant is entitled for grant of bail particularly, considering the fact that there is no possibility that in near

future, the trial will be concluded as there are more than twenty witnesses to be examined.

4. In the circumstances, even though the learned APP opposed the present application on the ground that the trial has commenced. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in Crime No. 160 of 2021, registered with Police Station Sadar, District: Nagpur, for the offences punishable under Sections 420, 188 and read with Section 34 of the Indian Penal Code, 1860, Sections 3-C and 7 of the Essential Commodities Act, 1955 and Sections 18-C and 27-D(2) of the Drugs and Cosmetics Act, 1940, the applicant shall be released on bail on furnishing P.R. Bond of Rs.20,000/- with one solvent surety in the like amount.
- c) The applicant shall attend the concerned Police Station on 1st and 16th day of each month between 10.00 a.m. to 12.00 noon, till the culmination of the trial.
- d) The applicant shall not tamper with the prosecution witnesses.

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

[ANIL S. KILOR, J.]