

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

CRIMINAL APPLICATION (BA) NO.1180 OF 2022

(DEVIDAS MOTIRAM GAHUKAR...VS.. STATE OF MAH. THR. PSO PS ASEGAON, AMRAVATI)

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

Court's or Judge's orders

Shri S.B.Gandhe, Advocate for Applicant.
Shri S.M.Ghodeswar, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : OCTOBER 07, 2022.

1. Heard.
2. The applicant is seeking bail in Crime No.76 of 2022, registered with Police Station, Asegaon, District : Amravati for the offences punishable under Sections 20(b) and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
3. In this crime, 470 Gramms Ganja was recovered from the applicant. There is a serious dispute whether the material collected from the applicant falls within the definition of "Ganja". As far as quantity is concerned, it is a small quantity. Thus, considering the age of the applicant, coupled with period of incarceration and the fact that the investigation is completed, I am of the opinion that the applicant is entitled for grant of bail, though the learned A.P.P. is opposing the present application. Hence, in the above referred backdrop, I pass the following order:

- i) Criminal application is allowed;
- ii) It is directed that the applicant shall be released on bail in Crime No.76 of 2022, registered with Police Station, Asegaon, District : Amravati for the offences punishable under Sections 20(b) and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 on furnishing P.R.Bond in the sum Rupees Twenty Five Thousand with one solvent surety in the like amount;
- iii) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence;
- iv) The applicant shall attend the trial before the Special Court regularly on every date unless exemption is granted by the Special Court.

The Criminal Application is **disposed of** accordingly.

JUDGE