

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.211 OF 2023

Ashok M. Tupere

...Applicant

V/s.

The State of Maharashtra

...Respondent.

Mr. S.R. Mithare a/w. Ms Priya Gupta for the Applicant.

Mr. P.H. Gaikwad-Patil, APP for the Respondent/State

PSI Sachin Chavan, Wakad Police Station present.

CORAM : N.R. BORKAR, J.
DATE : 24.01.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 784 of 2022 registered at Wakad Police Station, Pimpri-Chinchwad for the offences punishable under Sections 332, 353 of the Indian Penal Code and Sections 8(c), 20(B)(ii) (A), 29 of the Narcotic Drugs and Psychotropic Substances Act and Sections 142 of the Maharashtra Police Act.
3. On 17 September 2022, the co-accused Ravindra Ghadge was apprehended and was found in possession of 810 grams of Ganja. During interrogation, it was found that he had purchased the said Ganja from the present applicant.

4. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.

5. The learned counsel for the applicant submits that the prosecution has already filed the charge-sheet against the co-accused. It is submitted that there is no material to connect the present applicant with the alleged crime except the statement of co-accused Ravindra Ghadge. It is submitted that considering the facts and circumstances, the applicant may be released on anticipatory bail.

6. The statement of co-accused cannot be discarded at this stage. Considering the nature of offence, I am not inclined to entertain the present application. Hence, Anticipatory Bail Application is thus rejected.

[N.R.BORKAR, J.]