

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.788 OF 2023

Sagar Harishchandra Dalbhagat ... Applicant

Versus

State of Maharashtra ... Respondent

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Mr.Narayan Rokade for the Applicant.

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

Mr.Maruti Lahanu Borhade, HC/461, Haveli Police Station present.

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CORAM : N.R. BORKAR, J.

DATED : 21 MARCH 2023

P.C. :-

1. This is an Application filed under Section 438 of Criminal Procedure Code, 1973 for anticipatory bail.
2. The Applicant is apprehending his arrest in Crime No. 24 of 2023 registered at Ghoti Police Station, Nashik Rural, for the offences punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act) and 3 r/w 25 of the Arms Act, 1959.
3. On 18th January, 2023, pursuant to the secret information, a raid was conducted at house of the present Applicant. During the said raid, the Raiding Party had recovered 6 kg. Ganja, one country made pistol and cash amount of Rs.6,02,280/- from the house of the Applicant.
4. Heard the learned counsel for the Applicant and learned APP for the

Respondent-State.

5. The learned counsel for the Applicant submits that the Applicant had no concern with the house where the raid was conducted. It is submitted that custodial interrogation of the Applicant is not necessary as nothing is to be recovered at the instance of Applicant.

6. It appears that mother of the present Applicant came to be arrested in crime in question and during interrogation, she had disclosed that incriminating articles were brought by the present Applicant. Apart from it, from the statement of neighbour of the Applicant, it appears that the Applicant was residing with his mother in the very same house where raid was conducted.

7. Considering the nature of offence, I am not inclined to release the Applicant on anticipatory bail. Hence, Anticipatory Bail Application stands rejected.

(N.R. BORKAR, J.)