

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.1934/2022

SAMINA @ TABBO ANVAR ANSARI ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. S. R. Samel a/w. Adv. R. V. Kini for the applicant.
Mr. S. H. Yadav, APP for State.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 7, 2023.

P.C. :

- 1.** Leave to amend. Amendment to be carried out forthwith.
- 2.** Heard learned counsel for the applicant and learned APP for the State.
- 3.** This is an application for bail in respect of the offence punishable under Sections 8(c), 20(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereafter 'the NDPS Act' for short) registered vide First Information Report (FIR) No.91/2022 with Shanti Nagar Police Station, on February 14, 2022.

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4. It is alleged that the accused no.1-Vinod Kachre was found in possession of 10 kgs 200 gms 'Ganja'. The quantity found on the person of the accused no.1-Vinod is non commercial. On the basis of the statement of the accused no.1-Vinod, the applicant came to be apprehended. Nothing was recovered from the possession of the applicant. There are no criminal antecedents reported against the applicant. The applicant is a lady. She is in custody since February 17, 2022, that is, for a period of around 10 months. On the statement of the co-accused, the applicant's involvement is stated. Apart from this, there are no materials on record to indicate the complicity of the applicant. No call detail records between the accused no.1-Vinod and the applicant are placed on record. The trial is not likely to conclude any time soon. The case for grant of bail is made out. Hence the following order.

:: O R D E R ::

- (i) The application is allowed;
- (ii) Applicant-Samina @ Tabbo Anvar Ansari is directed to be released on bail in connection with FIR No.91/2022 with Shanti Nagar Police Station, on

executing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;

(iii) Applicant shall appear before the investigating officer once in a month on first Monday between 11:00 a.m. to 01:00 p.m., till further orders;

(iv) Applicant is permitted to furnish provisional cash bail security in the sum of Rs.25,000/-, for a period of eight weeks, in lieu of surety.

(v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant should not tamper with evidence.

(vi) On being released on bail, the applicant shall furnish her contact number and residential address to the Investigating Officer of the concerned Police Station and shall keep him updated, if there is any change.

5. The application stands disposed of accordingly.

(M. S. KARNIK, J.)