

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3414 OF 2021

Mohammed Gulzar Mohammed Kalim @ Papa ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. M.N. Sandhyanshiv for the Applicant.

Mr. Amit Palkar, APP for the State.

PSI N.R. Shaikh, Pawarwadi Police Station, present.

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CORAM : N.R. BORKAR, J.

DATED : 15 FEBRUARY 2023

P.C. :-

. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 357 of 2020 registered at Pawar Wadi Police Station, Nashik for the offences punishable under Sections 20(b), 22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, on the date of incident, which took place on 3 July 2020 the present applicant was apprehended and was found in possession of 45kgs. of Ganja.

5. The learned Counsel for the applicant submits that the Sessions Court by order dated 1 October 2020 has released the co-accused Mohammed Amin s/o. Abdul Kalam, who according to the prosecution is owner of the Ganja in question.

6. On the other hand, the learned APP submits that considering the nature of offence, the applicant may not be released on bail.

7. The applicant is in jail for about 2½ years. There are no other criminal antecedents. Considering the overall facts, I am inclined to release the applicant on bail. Hence, the following order is passed :

(i) Application is allowed.

(ii) The applicant - Mohammed Gulzar Mohammed Kalim @ Papa be released on bail in Crime No. 357 of 2020 registered at Pawar Wadi Police Station, Nashik for the offences punishable under Sections 20(b), 22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(iii) The applicant shall attend the concerned police station once in a month i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of trial.

(N.R. BORKAR, J.)

Kanchan P Dhuri

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DHURI

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