

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2415 OF 2022

VAISHALI
ANIL
TIKAM

Sintu @ Anand Ramesh Kanojiya

.... Applicant

Versus

The State of Maharashtra

.... Respondent

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signed by
VAISHALI
ANIL TIKAM
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Mr. Sandhya A. Mailagir i/by Mr. Anil D. Joshi, Advocate for the Applicant.

Ms. P.N. Dabholkar, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th OCTOBER, 2023.

P.C. :

1. By this application, applicant is seeking bail in Crime No. I-154/2010 registered with Citalsar Police Station, Thane for offences punishable under Sections 8(c), 20 of NDPS Act.

2. It is prosecution's case that on 31st July, 2020, the Police received information from the informant that LP Truck bearing No. KA28 A-9095 is coming on 1st August, 2020 from Majiwade to Ghodbunder Road along with 500 to 700 kgs of "Ganja" and accordingly, police team went to the spot and found one truck was abandoned near dilapidated building and several gunny bags containing ganja weighing 691 kgs were found in it. It is alleged that the Applicant had transferred the gunny bags containing ganja

into a Swift Dezire car.

3. It is the contention of learned counsel for applicant that the co-accused Nanu @ Ramnayan Haridwar Vishwakarma has been released on bail by this Court. The role attributed to co-accused Nanu and the Applicant is same. Applicant is behind bar for more than two years. Investigation is completed, charge-sheet has been filed. The Applicant is entitled for bail on principle of parity, hence requested to allow the application.

4. Learned APP, on instructions, fairly submitted that the role attributed to the Applicant and the co-accused Nanu is same.

5. I have heard both learned counsel, perused the FIR and charge-sheet.

Role attributed to co-accused Nanu, who is released on bail by this Court [Smt. Bharati Dangre, J.] by order dated 7th July, 2022 and the Applicant is same. Considering this fact, the applicant is entitled for bail on the principle of parity.

6. In view of above, I pass following order :

ORDER

- (i) Applicant be enlarged on bail in Crime No. I-154 of 2020 registered with Chitalsar Police Station, Thane, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
 - (ii) Applicant shall attend the concerned police station once in a month i.e. on first Monday between 11.00 a.m. to 3.00 p.m. till framing of charge.
 - (iii) Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
 - (iv) The Trial Court shall decide the case on its own merits in accordance with law, uninfluenced by the observations made in this order.
7. The application is allowed in the aforesaid terms and is accordingly disposed off.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)