

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3757 OF 2021**

Rohan Suresh Ghisar

...Applicant

Versus

The State of Maharashtra

...Respondent

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Ms Vilasini Balasubramanian a/w Mr Prashant Raul and Mr. Fuzail Wasif
i/b Mr. N.L. Chaudhari for the Applicant.
Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 13 FEBRUARY 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 83 of 2021 registered at Malegaon Taluka Police Station, Nashik for the offences punishable under Sections 20-B and 22 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 respondent-State.

4. The bail is sought on the ground of parity. In support of the said ground, the learned counsel for the applicant has placed on record copy of

the order passed by this Court dated 3 January 2023 in Criminal Bail Application No. 574 of 2022. By the said order this Court has released the co-accused- Shaikh Arbaz Abdul Hamid.

5. According to the prosecution, on 19 February 2021, the car in which the present applicant and the co-accused- Najuddin Qazi, Shaikh Arbaz Abdul Hamid were travelling, was intercepted and 55kg. 'Ganga' was recovered from the dicky of the car.

6. It is thus apparent that the role attributed to the present applicant and co-accused- Shaikh Arbaz Abdul Hamid is identical. The applicant is in jail for about two years. There are no other criminal antecedents. Considering these facts, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 83 of 2021 registered at Malegaon Taluka Police Station, Nashik for the offences punishable under Sections 20-B and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 on furnishing PR 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 the trial.

(N.R. BORKAR, J.)