



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

BAIL APPLICATION NO.3570 OF 2023

ANIL NARAYANA TAPPANIL

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Shweta Waghdhare i/b. Adv. Lochan Chandka for the
Applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 29, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under Sections 8(c), 20(b) and 29 of the of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereafter 'NDPS Act' for short) registered on 09.03.2021 vide C.R. No.54 of 2021 with Rabodi Police Station.
- 3.** The applicant was found in possession of 11 kg and 950 grams of 'Ganja' which is a non-commercial quantity as per the NDPS Act. The applicant is the accused No.1. The applicant was arrested on 09.03.2021.

4. Learned APP opposed the application for bail.
5. The applicant is in custody for more than two years and eight months. There are no criminal antecedents reported against the applicant.
6. I have perused the forensic examination report which describes the article as flowering/fruited tops with greenish brownish coloured leaves, seeds and stalks, put in a zip lock polythene bag again wrapped in paper labeled A-1. I agree with the submission of learned counsel for the applicant that the decisions in **Ibrahim Khwaja Miya Sayyed @ Raju vs. The State of Maharashtra** in Bail Application No.1296 of 2022 and **Kunal Dattu Kadu vs. Union of India** in Anticipatory Bail Application No.2173 of 2022 will apply to the present case also. The applicant can be enlarged on bail. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Anil Narayana Tappanil in connection with C.R. No.54 of 2021 registered with Rabodi Police Station shall be released on bail on his furnishing P.R. Bond of Rs.50,000/- with one or more

local sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs.50,000/- for a period of 6 weeks in lieu of surety.

(d) The applicant shall attend the Investigating Officer of Rabodi Police Station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

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

(f) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

7. The application is disposed of.

(M. S. KARNIK, J.)