



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

BAIL APPLICATION NO. 3965 OF 2023

SHANKAR ISHWAR MURARI PAL

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv.Ratnadeep G. Meshram a/w Ms. Sweta D. Khekare, for
the Applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 14, 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), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereafter 'the NDPS Act' for short) registered on 27/04/2021 vide C.R. No.208 of 2021 with CSMT police station.
3. The applicant was arrested on 27/04/2021. The applicant was found moving in suspicious condition at the CST Railway station. When the applicant was searched, it was found that the applicant was carrying contraband Ganja

weighing 4 kgs. The quantity is a non-commercial quantity. The applicant is in custody for almost 32 months.

4. Learned APP opposed the application for bail.

5. The trial is not likely to conclude any time soon. The quantity found being a non-commercial quantity, rigours of section 37 of NDPS Act are not applicable. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. In the facts and circumstances of the present case, the applicant can be enlarged on bail. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Shankar Ishwar Murari Pal in connection with C.R. No.208 of 2021 registered with CSMT police station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.

(d) The applicant shall attend the investigating officer of CSMT police station once in three months on first Monday of the concerned month commencing from January 2024

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 all dates of the trial. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(h) The applicant shall surrender his passport to the investigating officer. If the applicant does not have passport, he shall file the affidavit to that effect.

6. The application is disposed of.

(M. S. KARNIK, J.)