



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

BAIL APPLICATION NO.2449 OF 2023

MALHARI BHARAT SONAWANE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr.Jay S. Patil, for the applicant.

Mr. S. A. Karmakar, APP for the State.

PSI- Mr.Keshav Randive, Sangli City police station present.

CORAM : M. S. KARNIK, J.

DATE : MARCH 4, 2024

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)(2)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereafter 'the NDPS Act' for short) registered on 02/12/2022 vide C.R. No.771 of 2022 with Sangli City Police Station.

3. 5 persons were travelling in a car. 4 accused are arrested and 1 is absconding. Total quantity found in the car is 1.97 kg. The applicant is the accused no.4. The

applicant was arrested on 02/12/2022. The contraband is ganja. The small quantity prescribed is 1000 grams. The commercial quantity is 20 kg. The applicant was thus in possession of 971 grams which is more than the minimum quantity prescribed. This can be regarded as an intermediate quantity. The applicant is in custody for almost 15 months. The charge has not been framed. There are no criminal antecedents reported against the applicant. The bar under section 37 of NDPS will not apply in the present case. In the facts of the present case, I am inclined to enlarge the applicant on bail though learned APP opposed the application. The investigation is complete. The charge-sheet has been filed. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Malhari Bharat Sonawane in connection with C.R. No. 771 of 2022 registered with Sangli City 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 8 weeks in lieu of

surety.

(d) The applicant shall attend the Investigating Officer of Sangli City 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.

(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.

4. The application is disposed of.

(M. S. KARNIK, J.)