

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

CRIMINAL BAIL APPLICATION NO. 2313 OF 2024

Rakesh Jeevanram Bishnoi ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. Ratnish Shobhnath Dubey and Bhagyashir Prakash Roundal, for Applicant.

Mr. S. S. Chaudhari, APP for State-Respondent.

Mr. D. S. Jadhav, PSI, Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 3rd SEPTEMBER, 2024

PC:-

- 1) Heard.
- 2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.511 of 2023 registered with Mahalunge MIDC Police Station, Pune, for the offences punishable under Sections 420, 285 and 188 read with Section 34, Sections 8(c), 15(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Sections 3 and 7 of the Essential Commodities Act and Sections 3, 4, 5, 6 and 7 of The Liquified Petroleum Gas(Regulation of Supply & Distribution) order, 2000.

- 3) The contraband i.e. 3 kg, 14 grams of Ganja was recovered from the applicant, which is the intermediate quantity. There are no antecedents against the applicant of similar nature. The applicant is in jail from last one year and in the meantime, the charge-sheet has been filed. It is pointed out that the applicant had in conscious possession as he has pointed out the place from where he purchased it.
- 4) Considering the fact that there are no antecedents against the applicant and the quantity is intermediate, I am of the opinion that in view of the period of incarceration and the fact that the charge-sheet has been filed, further custody of the applicant is not required.
- 5) Accordingly, thought the learned APP is strongly opposing the application, I pass the following order.

ORDER

- i. The Bail Application is allowed;
- ii. It is directed that the Applicant shall be released on bail in Crime No.511 of 2023 registered with Mahalunge MIDC Police Station, Pune, for the offences punishable under Sections 420, 285 and 188 read with Section 34, Sections 8(c), 15(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Sections 3 and 7 of the Essential Commodities Act and Sections 3, 4, 5, 6 and 7 of The Liquified Petroleum Gas(Regulation of Supply & Distribution) order, 2000, on furnishing PR. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;

- iii. The applicant shall attend the said Police Station on 1st and 16th day of every month between 10.00 am and 11.00 am till the conclusion of the trial except on the date of trial;
- iv. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- v. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence;
- vi. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.
- vii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]