



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 2194 OF 2024

Gokul @ Raghu Vishwanath Umap
Age: 40 years, Occu.: Nil,
Residing at Kanjarwada, Near Paydan Hospital,
Taluka and District Jalgaon.Applicant

Versus

The State of Maharashtra
(Police Inspector, Jalgaon City
Police Station, Jalgaon)Respondent

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Advocate for Applicant : Mr.Bhushan Raut (through VC) a/w.
Mr.Omkar S.Shendkar
APP for Respondent : Mr.VM.Chate
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CORAM : ABHAY S. WAGHWASE, J.

**RESERVED ON : 23 JANUARY, 2025
PRONOUNCED ON : 27 JANUARY, 2025**

ORDER :

1. Applicant seeks enlargement on bail in consequence to his arrest in Crime no.0153 of 2024 registered at Jalgaon City Police Station, Dist.Jalgaon for offence under Sections 8(c), 22(c), and 29 of the Narcotic Drugs and Psychotropic Substances Act (NDPS Act).

2. Learned counsel submitted that applicant is arrested in above crime on 22-03-2024 and as such, he is behind bars since nine months. That, applicant is shown to be accused no.2. That, accused no.1 Imran was arrested for possessing “MD drugs” and its quantity was 122.22 gm. Learned counsel pointed out that said arrested accused has named present applicant for supplying “MD drugs” to him. In spite of house search of applicant, nothing was recovered, however, still learned trial Court rejected application on the sole ground that applicant has criminal antecedent. Lastly, it is submitted that now investigation is over and as nothing is to be recovered or discovered from applicant, relief of regular bail is urged for.

3. Learned APP took strong objection for grant of bail on the ground that applicant was associated with accused no.1, who was a Peddler. That, they both were in continuous touch with each other and were jointly involved in selling “MD drugs”. That, there is CDR suggesting their close association. According to learned APP, accused no.1 was possessing contraband and he, during interrogation, reported about it being brought from present applicant. That, accused no.1 is also behind bars for said offence and his attempt to seek bail went futile as on disinclination shown by this Court, it was

withdrawn. That applicant is involved in serious offence. For above reasons, learned APP opposes bail application.

4. Perused the papers and FIR. FIR is at the instance of Police official against present applicant and one Imran. Investigating machinery claims that drugs by name “MD drugs” was in possession of accused no.1 Imran and the quantity seized was 85.42 gm., 35.41 gm, and 1.39 gm. respectively. On apprehension, accused Imran allegedly named present applicant for supply of the said “MD drugs”. Investigating machinery seems to have gathered CDR and on the strength of the same, it is projected by prosecution that both main accused Imran and present applicant were involved in supply of said drugs. This Court seems to have shown disinclination to grant bail to accused Imran and as such on instructions, said application seems to be withdrawn. In view of statement of arrested accused no.1 Imran, present applicant seems to be a supplier of “MD drugs”. Therefore, considering the nature of allegations and as applicant is shown to be an associate of main accused Imran and both are found to be involved in selling “MD” Drugs, this Court is not inclined to grant relief as prayed at this stage. Hence, the following order :

ORDER

Application is rejected

(ABHAY S. WAGHWASE)
JUDGE

SPT