

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 709 OF 2024**

Rupesh Dilip Jadhav

...Applicant

V/s.

The State of Maharashtra

...Respondent.

Mr. Amit Munde i/b Mr. Sunil Chavan, Mr. Jai Vohra, & Mr. Parikshit Pawar, for the Applicant.

Ms. G. P. Mulekar, APP for the Respondent/State.

**CORAM : N.R. BORKAR, J.
DATE : 13.01.2025.**

P.C. :

1. This is an application for bail.
2. The applicant came to be arrested in Crime No. 202 of 2023 registered at Indapur Police Station, Pune Rural for the offences punishable under Sections 8(c), 20(b), 20(b)(ii)(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
3. On the date of incident, which took place on 09.02.2023, pursuant to secret information trap was laid and car bearing registration No.MH-42-AR-5656 was intercepted. The applicant and other co-accused were traveling in the said car. The search of the car was taken and 240 Kg of Ganja was recovered from the said car.
4. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The learned counsel for the applicant submits that there is non-compliance of Section 42 and Section 50 of the NDPS Act. It is submitted that the applicant is in jail for more than two years and the trial has not commenced. It is submitted that there are no other criminal antecedents against the applicant.

6. On the other hand, the learned APP for respondent-state submits that the applicant is involved in the serious crime of drug trafficking. It is submitted that the commercial quantity of ganja was recovered from the present applicant and other co-accused. It is submitted that considering the nature of the offence, the applicant may not be released on bail.

7. I have perused the FIR. *Prima-facie* there appears to be non-compliance of Section 42 of the NDPS Act, as there is nothing to show that information received was reduced into writing. The applicant is in jail for more than two years. There are no other criminal antecedents. Considering these facts, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] The Bail Application is allowed.

B] The applicant be released on bail in C.R. No. 202 of 2023 registered at Indapur Police Station, Pune Rural for the offences punishable under Sections 8(c), 20(b), 20(b)(ii)(c)

and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station twice in a month i.e., on 1st and 3rd Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

[N.R.BORKAR, J.]