

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

BAIL APPLICATION NO. 1816 OF 2024

Prakashkumar Punamaram Bishnoi	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Tohid Shaikh i/b Ms. Anjali Patil, Advocate for the Applicant.

Mrs. G. P. Mulekar, A.P.P. for the Respondent – State.

Mr. Manesh Sable (PSI), Tulinj Police Station, Palghar, present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	03rd MARCH, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.617 of 2023 registered at Tulinj Police Station, Dist : Palghar, for the offences punishable under Sections 8(c), 21(c), 29 the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act').
3. On 28.08.2023, on the basis of secret information a raid was conducted at the residential premises i.e. Room

No.302, Dutt Nagar, Central park, Nalasopara and the present applicant and other co-accused were found in possession of 210 grams of Mephedrone (MD).

4. The learned counsel for the applicant submits that 15 gm of MD was allegedly found in possession of the present applicant which is intermediate quantity. It is submitted that the applicant who is residence of State of Rajasthan, after completing his B.Ed. came to the Mumbai in search of job. It is submitted that as the co-accused were known to him, he stayed with them. It is submitted that the applicant has nothing to do with the alleged crime. The learned counsel for the applicant submits that the applicant is in jail for approximately one and half years. It is submitted that there are no other criminal antecedents against the present applicant.

5. On the other hand, the learned A.P.P. for the Respondent-State submits that the present applicant and the other co-accused were found in possession of 210 grams of MD which is commercial quantity and thus Section 37 of the NDPS Act would attract in the present case. It is submitted

that considering the nature of offence, the applicant may not be released on bail.

6. The applicant in support of education qualification has produced on record the relevant documents. Apart from it, the applicant is in jail for approximately one and half years and there are no other criminal antecedents against him. Considering the overall facts and circumstances, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No.617 of 2023 registered at Tulinj Police Station, Dist : Palghar, for the offences punishable under Sections 8(c), 21(c), 29 the NDPS Act on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall attend the concerned Police Station once in a month i.e. on first Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;
- (iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)