

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2498 OF 2024

Vikas V. Chauhan	...Applicant
V/s.	
The State of Maharashtra	...Respondent.

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Mr. Amit Icham a/w. Mr. Chaitanya Purankar and Pratap Jaripatlee
for the Applicant.
Mr. Vinod Chate, APP for the Respondent/State.

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CORAM : N.R. BORKAR, J.
DATE : 28.04.2025.

P.C. :

1. This is an application for regular bail.

2. The applicant came to be arrested in Crime No.1093 of 2022 registered at Chakan Police Station, Pune for the offences punishable under Sections 8(c), 20(b)(ii)(c) and 29 of the Narcotic Drugs and Psychotropic Substance Act and Sections 307, 332, 353 and 279 of the Indian Penal Code.

3. On the date of incident, which took place on 4.7.2022, the car, in which the applicant and other co-accused were occupants, was intercepted by patrolling squad. It is alleged that in an attempt to flee away from the spot the applicant and co-accused rammed car into a police personnel and attempted to kill them. It is alleged that the search of car was taken and 210.912 kg Ganja was found in the car.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent – State.

5. Learned counsel for the applicant submits that the applicant has nothing to do with the alleged contraband. It is submitted that the personal search of applicant was taken and nothing incriminating was found. It is submitted that the applicant is in jail for more than three years and the trial has not commenced. It is submitted that there are no other criminal antecedents. It is thus submitted that the applicant may be released on bail.

6. On the other hand, learned APP for the respondent/State submits that commercial quantity of the contraband was found in possession of the applicant and co-accused. It is submitted that they tried to kill the police personnel. It is thus submitted that, the applicant may not be released on bail.

7. The applicant is accused No.2 in the present crime. During the course of investigation, the alleged contraband was found to be belonging to accused Nos.5 to 7. Except the fact that the applicant was one of the occupants in the car in question, there is no other incriminating material against the applicant. The applicant is in jail for 3 years and the trial has not commenced. There are no other criminal antecedents against the applicant. Considering the said facts, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No. 1093 of 2022 registered at Chakan Police Station, Pune for the offences punishable under Sections 8(c), 20(b)(ii)(c) and 29 of the Narcotic Drugs and Psychotropic Substance Act and Sections 307, 332, 353 and 279 of the Indian Penal Code 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 once in a month ,i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

[N.R.BORKAR, J.]