

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1704 OF 2025

Suresh Banoth

...Applicant

V/s.

Union of India & Anr.

...Respondents.

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Mr. Taraq Sayed a/w. Ms Ashwini Achari, Mr. Devashish Dhanjode and Adv. A.S. Sayed for the Applicant.

Mr. Rushikesh Munde, Spl.P.P. a/w. Adv. Shatabdi Netke and Adv. Tejas Bhattacharya for Respondent No.1/UOI.

Mr. C.D. Mali, APP for Respondent No.2/State

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CORAM : N.R. BORKAR, J.
DATE : 09.05.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.5 of 2018 registered at Narcotic Cell, Customs, Pune for the offences punishable under Sections 8(c), 20(b)(ii)(c) and 29 (1) of the Narcotics Drug and Psychotropic Substances Act, 1985 (NDPS Act).
3. On 10.08.2018, the Inspector of Narcotic Cell, Customs, Pune received secret information that, on 13.08.2018 the applicant would be carrying commercial quantity of Ganja in his vehicle bearing no. TS-07-UB-6640. The said vehicle will be passing through Lonikand-Alandi Phata, Nagar - Pune Road between 7am to 9am. Accordingly, on 13.08.2018, a trap was laid and the said vehicle of the applicant was intercepted. Upon conducting search

of the said vehicle, 7 plastic packets containing Ganja were recovered from the back seat & the boot of the vehicle. The contraband Ganja weighing 154.880 kgs. worth Rs.7,50,000/- was seized and the applicant was arrested.

4. I have heard the learned counsel for the applicant and the learned Special P.P. for the respondent No.1/UOI and learned APP for the respondent/State.

5. The bail is sought on the ground of long incarceration as under-trial prisoner. Learned counsel for the applicant submits that the applicant is in jail for about 6 years and 8 months. It is submitted that there are no other criminal antecedents against the present applicant.

6. On the other hand, learned Special P.P. for the respondent No.1/UOI submits that the applicant was found in possession of commercial quantity of Ganja. It is submitted that the trial has commenced and thus, instead of releasing the applicant on bail, the trial be expedited.

7. The fact that the applicant is in jail for about 6 years and 8 months is not disputed. It appears that though trial has commenced, however, it is at very initial stage. There are no other criminal antecedents against the present applicant. Considering the overall facts & circumstances, 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.5 of 2019 registered at Narcotics Cell, Customs, Pune for the offences punishable under Sections 8(c), 20(b)(ii)(c) and 29 (1) of the NDPS Act 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 NCB Office once in a month ,i.e., on first Friday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

D] The applicant shall not leave the corporation limit of Pune city except with the permission of the trial Court.

[N.R.BORKAR, J.]