

MHBU010007322024



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, BULDANA

SPECIAL CASE NO.47 OF 2024

Chandrapal Jivan Ram ..Versus.. State of Maharashtra

ORDER BELOW EXH.13

(Passed on this 13th day of May 2025)

1] The present bail application is filed for grant of regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita in connection with Crime No.214/2024 registered with Police Station, Chikhli relating to the offences punishable under Sections 20(b), 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2] The prosecution story in short, is that incident took place on 16.3.2024 at about 15.00 hours on Chikhli-Jalna road. At that relevant time, applicant was found carrying "Ganja of 216.800 kilogram worth Rs.32,52,000/- in the Truck bearing No. UP-21-CN-4035. Therefore, applicant was arrested and above-mentioned Ganja and offending vehicle was seized from his custody. On the basis of report, crime was registered against applicant and during the investigation, as it was found that the Ganja was loaded as per the say of co-accused Veer Singh, so, his name was arrayed in the charge-sheet. The charge-sheet was filed against applicant Chandrapal and it was filed against co-accused Veer Singh under Section 299 of Cr.P.C.

3] In the application, applicant contended that he was arrested on 17.3.2024 and was falsely implicated in this crime. He has no knowledge of alleged packets found in his vehicle. The I.O. has not followed mandatory provisions of law in Section 51(1) of N.D.P.S.Act. Now, investigation is completed. Charge-sheet is filed. The F.S.L.Report is not received. There is no progress in the trial. The trial is delayed. The applicant is having old aged parents. He showed readiness to abide by the conditions imposed the Court.

4] Learned APP Shri Khatri has filed say below Exh.14 and objected the bail application on the count that the offence is of serious nature. Mere filing of charge-sheet is no change in the circumstances. The applicant is resident of Uttar Pradesh. If the applicant is released on bail, he may tamper with the prosecution evidence and pressurize the witnesses. Considering the seriousness and gravity of offence, he requested to reject the bail application.

5] Heard both the sides. Perused the record. It is found that in the present case, the applicant was found carrying huge quantity of Ganja in his vehicle amounting to Rs.32,52,000/-. The quantity of Ganja was 216.800 Kg. Considering the gravity of offence and seriousness of offence, the applicant is not entitled for grant of bail.

6] It is submitted by the applicant that charge-sheet is filed and investigation is completed. However, considering the seriousness of the offence and considering the huge quantity of Ganja, the applicant is not

entitled for grant of bail. The applicant is found in possession of Ganja of commercial quantity which is a serious offence. In such circumstances, the applicant is not entitled for grant of bail.

7] If the applicant is released on bail, there is possibility that he may abscond and he may tamper with the prosecution evidence. So also, he may pressurize the witnesses. So, considering this, applicant is not entitled to be released on bail. Hence, I pass the following order.

ORDER

Bail application (Exh.13) is rejected.

Buldana
Date:13.5.2025

(Manjusha V. Deshpande)
I/c Sessions Judge,
Buldana