



: ORDER BELOW EXH.5 IN SPECIAL CASE

NO.30/2024 :

(CNR No. MHRG15-000340-2024)

(Passed on 24.07.2024)

- 1) The present application is filed by applicant/accused no.1 Sufiyan Abdul Manan Khan, under section 439 of Cr.P.C. for regular bail in respect of C.R.No.17/2024, registered at Dighi Sagri police station, for the offence punishable under section 8(a), 20(b)(ii)(a), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
- 2) The applicant/accused no.1 contended that he has not committed any offence. He has been falsely involved in the offence.
- 3) He further contended that on 22.02.2024, the informant Sandeep Namdev Chavan, who is police officer, had lodged report contending therein that they received secret information that one person is coming with narcotic substance. Accordingly they laid trap. They apprehended him and narcotic substance Charas weighing 2.140 kg. was found in his possession.
- 4) He further contended that the Investigating Officer has investigated the offence and has filed charge-sheet against him. Therefore, nothing is to be recovered or discovered at his instance and prayed that he may be released on regular bail.
- 5) Ld. A.P.P. filed his say at Exh.9. He contended that the

offence committed by the applicant is serious in nature. The applicant was found with narcotic substance i.e. Charas weighing 2.140 kg. The narcotic Substance found with applicant is more than commercial quantity. He further contended that if the applicant is released on regular bail, there are chances that he may pressurize the witnesses and tamper the evidence of prosecution. He prayed that the application be rejected.

6) Heard Ld. advocates appearing for parties.

7) On perusal of material available on record, it appears that on 22.02.2024 the informant who is police officer had lodged report contending therein that on 21.02.2024 they received secret information that one person is coming with narcotic substance at Holicha Mal, Borlipanchatan. Accordingly, they prepared the raid team and laid trap. At about 21.10 hrs. they found that one person is coming near Holicha Mal. As per the information, said person had worn white-blue colour checks shirt and black colour pant. They apprehended him in presence of panchas, on which Charas weighing 2.140 kg. was found in his possession. The material shows that Charas which was found in possession of applicant is more than commercial quantity. The applicant was apprehended in presence of panchas. The offence committed by the applicant is serious in nature. Therefore, taking into consideration the seriousness of offence and the chances of tampering the evidence of prosecution, in my opinion, the

applicant is not entitled to be released on regular bail. Hence, I proceed to pass following order :-

: ORDER :

- 1) The application is rejected.

(Dictated and pronounced in open Court)

Mangaon.
Date : 24.07.2024.

(H. K. Bhalerao)
Special Judge, Mangaon
Dist. Raigad