


MHRG170001752021 	Special Case (NDPS) No. 14/2021 Intelligence Officer, Directorate of Revenue Intelligence Mumbai Zonal Unit, Mumbai ... Complainant Vs Meenanath Bodake and others ... Accused
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ORDER BELOW EXH. 107

- 1] This is an application filed by accused No. 1 Meenanath Bodake for relaxation of condition mentioned in clause (3) of the bail order dated 14/02/2024 below Exh.50.
- 2] Prosecution has filed say to the said application on the overleaf and strongly opposed the application.
- 3] Perused application, say thereon and record of the case. Heard both sides.
- 4] Ld. Advocate for applicant submitted that, the applicant No.1 was arrested on 09/08/2020. He remained in custody for four years and five months. Thereafter, he is enlarged on bail vide order dated 14/02/2024. One of the condition mentioned in the clause (3) of the bail order direct that “*the applicant shall attend the concerned DIR police office, once in month till further order i.e. on every 3rd Monday from 11.00a.m. to 1.00p.m.*” Accordingly, the applicant is regularly attending the concerned DRI office. Now, the trial has begun. Hence, the said condition

would not serve meaningful purpose. Therefore, the applicant prayed for relaxation of the said condition.

5] The Ld. Spl. PP. Rushikesh Mundhe submitted that, the applicant accused is enlarged on bail because of long incarceration. The condition was imposed to ensure presence of the accused/applicant for the trial. If condition is relaxed, the possibility of absconding of the accused/applicant cannot be ruled out. The present case is time bound by the Hon'ble Supreme Court. Hence, he prayed for rejection of application.

6] In present case the applicant/accused was arrested on 09/08/2020 for the offence punishable under Section 8(c) read with 21(c), 23, 25, 27-A, 28, 29 and 31-A of The Narcotic Drugs And Psychotropic Substances Act, 1985. He is enlarged on bail vide order dated 14/02/2024 passed by my Ld. predecessor. One of the condition of the said bail order directs the applicant to attend the concerned DRI office once in a month till further order. In the present case, accused Nos.2 and 5 are also enlarged on bail by the order of the Hon'ble Bombay High Court. Now, in this matter charge has been framed. One witness has been examined. Now, it is fixed for further evidence of the prosecution. The matter is time bound. As per the direction of the Hon'ble High Court matter is kept on day to day basis. There is nothing on record to show that the applicant/accused made breach of condition mentioned in the bail order. The applicant is regularly attending the concerned DRI office and as well as remaining present in the Court for the trial. In this scenario

attendance to the concerned DRI office would not serve any meaningful purpose. As result, I proceed to pass following order.

:: ORDER ::

1. The application is allowed.
2. Condition of attending concerned DIR police office mentioned in clause (3) of the bail order dated 14/02/2024 below Exh.50 is hereby relaxed.

Panvel,
Dated :- 23/12/2025

(S. R. Chavan)
Addl. Sessions Judge
Panvel, Dist.-Raigad