

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.2940 OF 2016

Ganesh Kantilal Karnavat

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr Joydeep Chatterji, Advocate for applicant;
Mr S.D. Ghayal, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 2nd August, 2016

ORAL ORDER :

Heard.

2. By the present application under section 439 of the Code of Criminal Procedure, the applicant is seeking his release on bail, in connection with C.R. No.II-25 of 2016, registered with police station, Vaijapur, District Aurangabad, for offences punishable under section 20 of the Narcotic Drugs and Psychotropic Substances Act and under section 130 (3)/177 of the Motor Vehicles Act.

3. Admittedly, the quantity of Ganja, a narcotic substance, seized from the custody of the applicant is less than the commercial quantity as prescribed under the Narcotic Drugs and Psychotropic Substances Act, i.e. below 20 Kgs.

4. In view of above and as the charge-sheet in the matter is already filed, in my opinion, it will be appropriate to order release of the applicant on bail. I, therefore, ass following order :-

(2)

The applicant be released on bail, in connection with C.R. No.II-25 of 2016, registered with police station, Vaijapur, District Aurangabad, for offences punishable under section 20 of the Narcotic Drugs and Psychotropic Substances Act and under section 130 (3)/177 of the Motor Vehicles Act, on furnishing P.R. Bond of Rs.25,000/- with one sureties in the like amount.

If it is noticed that the applicant is involved in similar type of offence, it shall be open for the prosecution to move for cancellation of bail.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj