

(1)

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

CRIMINAL APPLICATION NO. 279 OF 2017

Shankar s/o Mallayya Rainene,
Age: 45 years, Occu: Business,
R/o Laxmi Township Warangal,
Org. R/o 4/17, Kotapalli, Tq. Regonda,
District Warangal (Telangana State)

..APPLICANT

VERSUS

The State of Maharashtra,
Through Police Inspector,
Police Station, Omerga,
Tq. Omerga, Dist. Osmanabad

..RESPONDENT

Mr S. B. Gastgar, Advocate for applicant;
Mr V. S. Badakh, Addl. Public Prosecutor for respondent

CORAM : N. W. SAMBRE, J.

DATE : 31st January, 2017

ORAL ORDER

Heard.

2. By this application under Section 438 of the Code of Criminal Procedure, applicant seek his release on bail, in connection with C.R. No.449 of 2016, registered with Police Station Omerga, Tq. Omerga, Dist. Osmanabad, for offences punishable under Section 20(B) of the Narcotic Drugs and Psychotropic Substances Act and Section 34 of the Indian Penal Code.

(2)

3. Admittedly, the applicant is owner of Swift Dezire car, bearing registration No. TS-05-EA-7036, upon interception of which it was noticed to have been carrying substantial quantity of narcotic drugs (Ganja).

4. The applicant is seeking bail on the ground that his driver had taken away the aforesaid car belonging to him and used in commission of the crime without his knowledge.

5. The investigation carried out till date depicts that there is sufficient material so as to *prima facie* infer the involvement of the applicant in the crime in question. The offence is serious one.

6. In view thereof, in my opinion, no case for grant of pre-arrest bail is made out. Criminal Application, therefore, stands rejected.

(N. W. SAMBRE, J.)

amj