

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1090 OF 2017

Sangita w/o. Ramesh Girhe **....Applicant**

Versus

The State of Maharashtra **....Respondents.**

Mr. R.V. Gore, Advocate for applicant.

Mr. K.N. Lokhande, APP for respondent.

CORAM : T.V. NALAWADE, J.

DATED : 20th March, 2017.

ORDER :

1. The application is filed for bail. Both the sides are heard.

2. Chargesheet is filed against the present applicant for the offence punishable under section 20(B) of the Narcotic Drugs and Psychotropic Substances Act (NDPS Act). She was found in possession of Ganga weighing 5 kilo 50 grams. There is C.A. report to show that it was Ganja. The previous application filed for bail in this Court was withdrawn, but that was filed before filing of the chargesheet. The learned APP submitted that there is no guarantee that the applicant will not commit similar offence if she is released on bail. However, the submissions

made do not show that she has bad antecedents. She is permanent resident of Pandharpur, Tahsil and District Aurangabad and there is bill of electricity in respect of the meter given in her name. As Ganja found in the possession of applicant is not in commercial quantity as per the Item No. 55 given in the Table under sub-clause (viia) and (xxiia) of section 2 of the Act and as there are no bad antecedents, this Court holds that bail can be granted to the applicant to given an opportunity to improve.

3. In the result, the application is allowed. The applicant is to be released on bail on her furnishing PR and SB of Rs. 50,000/- with one or more sureties or one solvent surety of like amount. She is not to tamper with the prosecution witnesses. She is not to commit similar offence. She is to attend the Court regularly.

[T.V. NALAWADE, J.]

SSC/