

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

CRIMINAL APPLICATION NO. 1865 OF 2017

Shubham s/o. Gopala Shahu .. Applicant
Age. 23 years, Occ. Rickshaw driver,
R/o. Sainagar, Sangamner,
Tq. Sangamner, Dist. Ahmednagar.

Versus

The State of Maharashtra .. Respondent

Mr. A.N. Nagargoje, Advocate for the applicant.
Mr. R.V. Dasalkar, A.P.P. for respondent/State.

**WITH
CRIMINAL APPLICATION NO. 1929 OF 2017**

Sangita w/o. Gorakh Satpute .. Applicant
Age. 45 years, Occ. Household,
R/o. Neharu Chowk, Sangamner,
Tq. Sangamner, Dist. Ahmednagar.

Versus

The State of Maharashtra .. Respondent

Mr. S.S. Dixit, Advocate for the applicant.
Mr. R.V. Dasalkar, A.P.P. for respondent/State.

**CORAM : T.V. NALAWADE, J.
DATED : 26.04.2017**

P.C. :-

1. Both the applications are filed for bail. Both the sides are heard. The statement is made that these

applications for bail are filed in this for the first time.

2. The crime is registered at C.R.No.34 of 2017 in Sangamner City Police Station, Dist. Ahmednagar, for offence 20(B), 22(1)(2)(c) of the Narcotic Drugs and Psychotropic Substances Act, on the basis of report given by one P.S.I. Gawande. On the day of incident, Sangmaner City Police had specific information that some persons were transporting Ganja in auto-rickshaw bearing No. MH-17-AG-6853. After this information, they went to the spot where the auto-rickshaw was intercepted. The present applicants were present in the auto-rickshaw. Applicant - Shubham was on driver seat, whereas applicant - Sangita was sitting on the back side. During search, Ganja weighing 10.572 kg. was recovered. The submissions made by learned A.P.P. show that two more accused are involved in the matter, but they are not before the Court. It can be said that the applicants were found in possession of aforesaid Ganja.

3. The enquiry was made by this Court to show as to whether the applicants have bad antecedents. The learned A.P.P. says that there are no bad antecedents. As the quantity involved is less than the commercial quantity, there is no bar of Section 37 of the N.D.P.S. Act. In

view of the circumstances, it is not certain that as to how much time will be required for disposal of the case. Therefore, this Court holds that bail needs to be granted to the applicants. The applicants are behind the bar since 03.03.2017.

i. In the result, the applications are allowed.

ii. The applicants - Shubham s/o. Gopala Shahu and Sangita w/o. Gorakh Satpute be released on bail in connection with Crime No.34 of 2017, registered with Sangamner City Police Station, Dist. Ahmednagar, for the offences punishable under section 20(B), 22(1)(2)(c) of the Narcotic Drugs and Psychotropic Substances Act on their furnishing PR & SB of Rs.30,000/- (Rupees Thirty Thousand) by each of them.

iii. The applicants are not to tamper with the prosecution witnesses and they are not to commit similar offence.

[T.V. NALAWADE, J.]