

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

CRIMINAL APPLICATION NO. 2560 OF 2017

Syed Jymthulla @ Ajimulla s/o
Sayed Karimulla, Age 32 years, ... **Applicant**
Occ. Business, R/o.
Kuduruchimannapalli Tq.
Ramasamudram, District Chittur
(AP)

VERSUS

The State of Maharashtra. ... **Respondent**

Mr. N. S. Ghanekar, Advocate for the applicant
Ms. A. R. Borulkar, APP for the State.

CORAM : K. L. WADANE, J.

DATE : 10th JULY, 2017

ORDER:

1. Heard Mr. Ghanekar, learned counsel appearing for the applicant and Mr. Borulkar, learned A.P.P. appearing for the respondent-State.

2. Informant Mr. Waghmare, Police Inspector of Jamkhed police station lodged first information report alleging that, on 08.12.2016 in the night he received secret information about the transportation

of Ganja from a vehicle i.e. tempo bearing registration No. AP 05/TB-3098 on Tuljapur-Ahmednagar road. He intimated the said information to his superior officer, who has instructed to arrange a trap. Accordingly on 09.12.2016 in the mid night at about 00.45 hours on Tuljapur-Ahmednagar road in the vicinity of Jamkhed near Nageshwar Temple he noticed the aforesaid vehicle. He caught hold accused Fayyaj Pathan and the present applicant. They were found to be transporting 130 bags of Ganja total 260 k.g. worth Rs. 26 Lakhs. Ganja was concealed in the body of the tempo. The present applicant and another accused were caught hold and after registration of crime No. II-99/2016 with police station Jamkhed, they were arrested. Now they are in M.C.R.

3. The present applicant is stated to be a cleaner of the vehicle and large quantity of Ganja was found in the possession of the applicant and another accused. From the contents of the seizure panchnama it appears that the Ganja was hide in such a manner that ordinarily it could be noticed to

anybody. This goes to show that the present applicant as well as another accused i.e. driver were having conscious possession of Ganja.

4. Looking to the quantity of Ganja, I am of the opinion that, the applicant is not entitled for bail. Hence, application is rejected.

(K. L. WADANE, J.)

mkd/-