

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

BAIL APPLICATION NO.635 OF 2022

Sudam s/o Dagdu Singhal

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. V.S. Wakale, Advocate for applicant

Mr. V.S. Badakh, A.P.P. for respondent – State

.....

CORAM : R. G. AVACHAT, J.

DATE : 22nd JULY, 2022.

PER COURT :

Heard. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0293/2021, registered at Pishor Police Station, District Aurangabad for the offence punishable under Sections 20, 20(b)(ii) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (N.D.P.S. Act for short).

2. Perused the F.I.R. and the related police papers. It is the case of prosecution that, pursuant to a tip-off received by the Police Sub-Inspector attached to Anti-Terrorist

Squad, a raid was effected in the house of the applicant herein. In the raid 19.650 Kgs. of Ganja was found at his residence coupled with 6 Ganja straws planted in his field.

3. The learned A.P.P. concedes that, if the quantity seized is less than the commercial quantity (20 Kgs.), rigours of Section 37 of the N.D.P.S. Act are not applicable for considering the application for bail.

4. The applicant is 62 years of age. He has no criminal antecedents. He has been in jail for little over 7 months. It will take time for the trial to commence and taken to its logical conclusion. Therefore, I am inclined to grant bail to the applicant. Hence the order:

ORDER

(i) The Bail Application is allowed.

(ii) The applicant shall be released on bail in connection with Crime No.0293/2021, registered at Pishor Police Station, District Aurangabad for the offence punishable under Sections 20, 20(b)(ii) of the Narcotic Drugs and Psychotropic Substances Act, 1985 on his executing P.R. bond in the sum of Rs.15,000/- (Rupees fifteen thousand) with one surety in the

like amount.

(iii) The applicant shall not tamper with the prosecution evidence.

**(R. G. AVACHAT)
JUDGE**

fmp/-