

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD  
BAIL APPLICATION NO. 791 OF 2022**

|                          |                |
|--------------------------|----------------|
| Dinkar Trimbak Tupe      | ... Applicant  |
| Versus                   |                |
| The State of Maharashtra | ... Respondent |

....

Mr. C. C. Deshpande, Advocate for applicant  
Mr. S. P. Sonpawale, APP for respondent - State

....

**CORAM : R. G. AVACHAT, J.**

**DATED : 27<sup>th</sup> JULY, 2022**

**PER COURT :-**

1. 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.0235/2021, registered with Osmanpura Police Station, Aurangabad, District Aurangabad, for the offences punishable under Sections 8(C), 20(B), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 34 of the Indian Penal Code.

2. Heard. Perused the First Information Report (FIR) and related papers.

3. Pursuant to the tip-off, a trap was laid at railway station parking, Aurangabad on 08.10.2021. Three persons named in the FIR were found in possession of Ganja. From the statement of one of

the co-accused, it was revealed that Ganja was to be supplied to the present applicant. The present application's cell-phone was found. CDR indicates the present applicant to have been in contact with the said accused. Admittedly, there is no further material to indicate the applicant's involvement in the crime in question. The statement of co-accused indicating the applicant's involvement is inadmissible. As such, it is the case for grant of bail to the applicant. Hence, following order:

**ORDER**

- (i) The Bail Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.0235/2021, registered with Osmanpura Police Station, Aurangabad, District Aurangabad, for the offences punishable under Sections 8(C), 20(B), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 34 of the Indian Penal Code, on his executing P. R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with surety bond of the like amount.
- (iii) The applicant shall not tamper with the prosecution evidence.

[ R. G. AVACHAT, J. ]