

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

BAIL APPLICATION NO.956 OF 2022

Ranjeet Mahajan Sundarde

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. Satej S. Jadhav, Advocate for applicant
Mr. S.P. Sonpawale, A.P.P. for respondent – State
.....

CORAM : R. G. AVACHAT, J.

DATE : 11th AUGUST, 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.0245/2021, registered at Shivoor Police Station, District Aurangabad for the offence punishable under Sections 20 and 8 of the Narcotic Drugs and Psychotropic Substances Act.

2. It is the case of the prosecution that, a secret information was received that the applicant has planted cannabis in his land Gut No.162, at village Nalegaon. The police party along with independent panchas went to the land to find cannabis plants to have been grown therein. It was

found that, it was more than commercial quantity. According to the prosecution, the village Talathi had pointed out the land and stated that the land was being cultivated by the applicant herein. On completion of investigation, the applicant has been proceeded against by filing charge sheet.

3. The learned A.P.P. would submit that, it is a serious offence against society. The Talathi was the best person to state the person who is owner in possession of a particular land. The Talathi has taken the police party to the concerned land. The applicant may make out his defence during trial of the case. The learned A.P.P., therefore, urged for rejection of the bail application.

4. Admittedly, the land stands in the name of applicant's mother. The applicant has three more brothers. The applicant is stated to have been serving as a worker with a Steel manufacturing unit at Jalna. Admittedly, the applicant was not present at the spot nor is there anything to indicate that it was he who was in actual possession of the land and planted canabi seeds, except the statement of Talathi. When the Talathi had taken the police party to the site, the applicant was not there. It is reiterated that, the applicant has three grown up brothers. As to whether the applicant has really

planted the canabi seeds in the field would be unravelled during trial of the case. Suffice it to say that the prosecution material leads this Court to grant bail to the applicant. Hence the order :

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant be released in connection with Crime No.0245/2021, registered at Shivoor Police Station, District Aurangabad for the offence punishable under Sections 20 and 8 of the Narcotic Drugs and Psychotropic Substances Act 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 in any manner.

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

fmp/-