

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

BAIL APPLICATION NO.985 OF 2022

Darshan s/o. Vijay Ramaiya

..Applicant

Vs.

The State of Maharashtra

..Respondent

Mr.S.G.Ladda, Advocate for applicant
Mr.S.P.Sonpavale, APP for respondent

**CORAM : R.G. AVACHAT, J.
DATE : JULY 27, 2022**

ORDER :-

This is an application under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0194 of 2022 registered with Waluj Police Station, Dist. Aurangabad.

2. Heard learned counsel appearing for the parties.

3. The applicant came to be arrested since his name was disclosed by co-accused Ganesh. Ganesh has claimed to have purchased ALPRACAN 0.5 tablets (Alprazolam Tablets IP 0.5 mg) from medicine shop of the present applicant. The applicant's medicine shop was searched. No such tablets were found during the shop inspection.

As such, the material against the applicant herein is only that of the statement of the co-accused, which is inadmissible in evidence. In the circumstances, the applicant deserves to be granted bail.

4. Hence, the following order:-

(i) The application is allowed.

(ii) The applicant be released in connection with Crime No.0194 of 2022 registered with Waluj Police Station, Dist. Aurangabad, on 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, J.]

KBP