



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

ANTICIPATORY BAIL APPLICATION NO.1995 OF 2023

NANIBAI ALIS KAVITA SUBHASH PAWAR

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. Nisargraj Garje, Advocate h/f Ms. Archana M. Bhange, Advocate
for Applicant

Mr. S. B. Jadhav, APP for Respondent/State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 13th MARCH, 2024

PER COURT :

1. Applicant apprehends arrest in C.R. No.164/2023, registered with Washi Police Station, Osmanabad, for offence punishable under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985, Section 4/25 of Arms Act and Section 65(e) of the Maharashtra Prohibition Act.

2. FIR is lodged by Pavan Shahurao Nimbalkar, Police Sub-Inspector, Washi Police Station, Osmanabad, alleging that on secret information they raided house of applicant. Seeing that raiding party is approaching, one lady ran away from the spot. On inquiry it was disclosed that applicant was the said lady. Two persons were found in the house i.e. son of applicant namely Sanjay Subhash Pawar and Sachin Suresh Shinde. About 5.841 Kg Ganja worth Rs.58,480/-, one sword, four sattur, 17 bottles of imperial blue whisky, 20 bottles of McDowells No.1 whiskey, one plastic can of 30

Liters of liquor, one electric weighing scale and cash of Rs.46,500/- were recovered from said house. It was revealed that said house stands in the name of applicant.

3. Heard learned advocate for applicant and learned APP for respondent/State. Perused the investigation papers.

4. Learned advocate for applicant submits that contraband articles are already seized and the Ganja seized from applicant's house is of non-commercial quantity. Applicant does not have any criminal antecedents. He, therefore, submits that applicant may be granted protection.

5. Learned APP by relying on investigation papers submits that custody of applicant is necessary for further investigation.

6. Perusal of investigation papers show that FIR is registered on 02/06/2023. Ganja, liquor and weapons are already seized from the house which stands in the name of applicant. Applicant's son was arrested and he is released on bail.

7. Applicant has no criminal antecedents. Considering her gender and as nothing is to be recovered, her per-trial custodial detention is not necessary.

8. In the result, application is allowed by confirming interim protection granted to applicants by order dated 05/12/2023.

(NITIN B. SURYAWANSHI, J.)