

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 996 OF 2024

Ganesh Gopinath Solunke

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. Salunke Sudarshan J

APP for Respondent/State : Mr. S.R. Wakale

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CORAM : S.G. MEHARE, J.

DATED : JULY 04, 2024

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No.97 of 2024 registered with Moujpuri Police Station, District Jalna for the offence punishable under Sections 8(c) and 20(b)(ii)(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act' for short).
3. The applicant was a driver in which 8 kg of Ganja has been recovered. The applicant has a case that he did not know that the passengers were carrying Ganja. There are no antecedents to his discredit. He being the driver has been implicated in the crime. He has no conscious possession.
4. Learned APP has strongly opposed the application. He would submit that 8 kg of contraband has been recovered. The applicant/driver had knowledge about the contraband kept in the

vehicle. His defence is improbable. The offence is serious. Hence, bail may not be granted.

5. The Ganja recovered from the vehicle is less than the commercial quantity but more than the small quantity. Therefore, there would be no impediment of Section 37 of the NDPS Act. Considering the role attributed to the applicant, the Court is of the view that his detention would serve no purpose. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Ganesh Gopinath Solunke, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that;
 - (a) The applicant shall not tamper with the prosecution witnesses and shall attend the trial on each and every date.
 - (b) The applicant shall not contact the other co-accused till conclusion of the trial.
 - (c) The applicant shall not involve in similar offence.

(S.G. MEHARE, J.)