

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1060 OF 2024

Ganesh Mahesh Jagnade

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Mithilesh Mishra i/b Mr. Shrinath R. Mate, Advocate for Applicant.

Mr. P. H. Gaikwad, APP for State-Respondent.

Mr. Nyamane, API, Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 25th NOVEMBER, 2024

PC:-

- 1) Heard.
- 2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 1093 of 2022 registered with Chakan Police Station, Pune for the offences punishable under Sections 8(c), 20(b)(ii)(c) and 29 of the Narcotic Drugs and Psychotropic Substance Act, 1985 and Sections 307, 332, 353 and 279 of the Indian Penal Code, 1860.
- 3) In the present case, 210 kg Ganja was recovered from the accused Nos. 1 and 2, who were travelling in a four-wheeler, owned by the applicant and that is the basis to implicate the applicant in the

present offence. There are no antecedents against the applicant and except the allegation that the car is owned by the applicant. There is no other material to show his complicity in the alleged offence.

4) The learned APP, however, strongly opposed the application and submitted that there are six cases against the mother of the applicant. However, he does not deny the statement made by the learned Counsel for the applicant that there are no antecedents against the applicant.

5) In the circumstances, I am of the opinion that there is reasonable ground to believe that the applicant is not guilty of the alleged offence and further in absence of any antecedents, there is no possibility that he will commit similar offence, if he is released on bail.

6) Accordingly, I pass the following order.

ORDER

i The Bail Application is allowed;

ii It is directed that the Applicant shall be released on bail in Crime No. 1093 of 2022 registered with Chakan Police Station, Pune for the offences punishable under Sections 8(c), 20(b)(ii)(c) and 29 of the Narcotic Drugs and Psychotropic Substance Act, 1985 and Sections 307, 332, 353 and 279 of the Indian Penal Code, 1860, on furnishing PR. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;

iii The applicant shall attend the said Police Station on 1st day of every month between 12.00 noon to 2.00 p.m., till the conclusion of the trial except on the date of trial;

- iv. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- v. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;
- vi. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.
- vii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]