



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 29 OF 2025

Rahul Vinayak Arane,
Age : 32 years, Occu. : Driver,
R/o. Annabhau Sathe Nagar, Rahata,
Tq. Rahata, Dist. Ahmednagar.

... Applicants
(Orig. Accused)

Versus

1. The State of Maharashtra,
Superintendent of Police, Ahmednagar,
Dist. Ahmednagar.

2. The Police Inspector, Rahata Police
Station, Tq. Rahata, Dist. Ahmednagar.

... Respondents.

.....
Mr. A. N. Barhate Patil, Advocate for Applicant.
Mr. C. V. Bhadane, APP for Respondents – State.
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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 25th FEBRUARY, 2025

PRONOUNCED ON : 26th FEBRUARY, 2025

ORDER :

1. Present application is for grant of bail on account of arrest of applicant in Crime No. 0066 of 2024 registered at Rahata Police Station, District Ahmednagar for the offence punishable under sections 8(c), 20(b)(ii)(c) and 29 of Narcotics Drugs & Psychotropic Substances Rules, 1985.

2. Pointing to the date of arrest as 10.02.2024 and FIR to be of 10.02.2024 itself, it is submitted that, applicant is falsely

implicated for merely being driver of a vehicle, which was said to be involved in above crime. Learned counsel pointed out that, main accused is already granted bail. That, nothing is to be recovered at the instance of applicant. He pointed out that, only plants are seized, actual ganja which is in the flowers, is not found or seized. He is behind bars since almost one year and as he is ready and abide any and all conditions imposed by this court, learned counsel seeks bail on the ground of parity.

3. Learned APP opposed on the ground that applicant is a owner and driver. He is apprehended on charges of commission of offence under NDPS Act. That, though other accused are granted bail, applicant cannot seek parity as the roles are distinct. Learned APP also expresses apprehension of misuse of liberty.

4. Heard. Perused the papers and FIR. Report seems to be at the instance of police constable. It is reported that while on patrolling duty, tempo found in suspicious condition was checked. The driver of the vehicle was said to be present applicant. Tempo was said to be carrying ganja and the vehicle was therefore seized and applicant is shown to be arrested. Learned counsel has placed on record anticipatory bail order in favour of accused Pradip, who is seems to be granted anticipatory bail by order dated 07.02.2025.

Charge sheet is already said to be filed in May 2024. Vehicle in question and contraband are already seized and sent to analysis. No further recovery is shown to be made. Matter is not shown to have proceed for committal or for framing charge. Considering uncertain circumstances, no purpose would be served by further detaining applicant, who is already behind bars since one year. Hence the following order is passed :-

ORDER

- (i) The Application is allowed.
- (ii) Applicant Rahul Vinayak Arane be released on bail in connection with Crime No. 0066 of 2024 registered with Rahata Police Station, District Ahmednagar on executing P.B. of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.

(ABHAY S. WAGHWASE, J.)