



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

BAIL APPLICATION NO. 277 OF 2025

. Avinash Bhika Patil
Age: 26 years, Occu.: Labour / Student,
R/o. Waghlud Bk., Tq.Dharangaon,
Dist.Jalgaon.Applicant

Versus

1. The State of Maharashtra
Through Police Inspector,
Chopda City Police Station, Chopda,
Tq.Chopda, Dist.Jalgaon.
2. The Superintendent of Police,
Jalgaon, Dist.Jalgaon.Respondent

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Advocate for Applicant : Mr.Vinod Prakash Patil
APP for Respondent : Mr.VM.Jaware

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 27 MARCH, 2025

PRONOUNCED ON : 01 APRIL, 2025

ORDER :

1. Applicant seeks regular bail on account of his arrest in crime no.0010 of 2025 registered at Chopda City Police Station, District Jalgaon for offence under Sections 20(b)(ii)(C), 22(b), 8(c) of the Narcotic Drugs and Psychotropic Substances Act and under Section 3(5) of the Bharatiya Nyaya Sanhita.

2. Learned counsel submitted that applicant is arrested in above crime on 16-01-2025. That, he is arrested on allegations of transporting / carrying 4kg and 710 gm. Ganja. That, whatever is to be recovered is already recovered. That, he has no criminal antecedents. That, applicant is behind bars since more than two months. That, applicant is ready to abide by all and any condition imposed by this Court and as he is sole bread earner of the family, learned counsel urges for grant of bail.

3. Learned APP opposed application on the ground that, acting on secret information, applicant was apprehended while carrying Ganja. According to him, quantity found in possession of applicant, which was meant for sale, was higher than small quantity but lesser than commercial quantity. That, now investigation is still in progress and for above reasons, learned APP opposed bail application.

4. Heard. Perused the FIR. Police Constable lodged report that, acting on secret information that one person is carrying Ganja on two wheeler, trap was laid after making necessary preparations as contemplated under the Act. Accordingly, one person was intercepted, who was riding Motorcycle bearing No.MH-18 BN-899

near Akulkheda S.T.Stop and he was in possession of a black bag. After completing formalities, the bag was searched, which contained Ganja weighing 4 kg. 710 gm. and therefore, after drawing panchanama, applicant was taken in custody and crime was registered.

5. It seems that even one Vijay Deonath More was also apprehended. As is seen that now Ganja is already seized and after drawing necessary samples, inventory certificate is also prepared. Necessary statements of witnesses are also recorded. What is further yet to be recovered or discovered is not made known to this Court. On Court query, learned APP answered that there is no criminal antecedents. Therefore, taking the same into consideration, coupled with nature of allegations and as there is no plausible explanation for further custody of the applicant, his further custody is unwarranted. Remaining investigation can be carried out by securing presence of the applicant in the concerned Police Station. Hence, following order is passed. :

ORDER

- (i) Bail Application is allowed.

(ii) Applicant Avinash Bhika Patil be released on bail in connection with Crime no.0010 of 2025 registered with Chopda City Police Station, District Jalgaon on executing Personal Bond of Rs.15,000/- with one surety in the like amount.

(iii) Applicant shall not tamper prosecution evidence.

(iv) Applicant shall report to Chopda City Police Station, District Jalgaon thrice a week i.e. on every Monday, Wednesday and Friday till filing of chargesheet and after filing of chargesheet, he shall attend the effective dates in the concerned trial Court.

(ABHAY S. WAGHWASE)
JUDGE