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

BAIL APPLICATION NO.560 OF 2025

Komalsingh Vikas Rajput

Age: 29 years, Occupation : Driver,

Resident of: Bhorkheda, Taluka Shirpur,

District Dhule.

... Applicant

Versus

The State of Maharashtra

Through the Officer in Charge of

Amalner Police Station,

District Jalgaon.

... Respondent

.....

Mr. Mukul S. Kulkarni, Advocate for Applicant

Mr. P.K. Lakhotiya, APP for Respondent - State

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 17 APRIL 2025

PRONOUNCED ON : 21 APRIL 2025

PER COURT :-

1. Applicant seeks enlargement on regular bail on account of his arrest in Crime No.0049 of 2025, registered with Amalner Police Station, District Jalgaon for offences punishable under Sections 8(c), 20(ii)(c), 22 of Narcotic Drugs and Psychotropic Substances (NDPS) Act.

2. Learned counsel for the applicant pointed out that, applicant is arrested in above crime on 15.02.2025. That, there are allegations that, contraband was transported in rickshaw.

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In fact, applicant is a rickshaw driver. That, he was driving the rickshaw while two passengers were travelling in it, and therefore, there is also question of concise possession. That, investigation is over and mere formality of filing the charge-sheet has to be remained, and as the applicant is ready to abide all and any conditions imposed by this Court, learned counsel urges for grant of bail.

3. Learned APP opposed on the ground that, on secret information, raid was arranged and rickshaw was intercepted. One polythene bag was found during its search containing leaves and flower like *Ganja* weighing 18 kg. 328 gms. worth of Rs.2,80,000/-. Therefore, crime was registered against the present applicant. According to learned APP, applicant was found in possession of contraband, and a serious offence is committed. For all above reasons, bail is opposed.

4. Heard. Perused the papers. FIR is by police officials and conducted raid on receipt of secret information about *Ganja* being transported in the rickshaw, which was said to be intercepted and in search of the rickshaw, one polythene bag containing contraband was seized. On above report, crime has been registered. Now investigation is said to be over. What is to be further recovered or discovered is not made known.

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Statement made across the bar that, at the time of the incident, though applicant was driven rickshaw, the same was occupied by two passengers. This fact is not denied or countered by the learned APP. Therefore, when investigation is over, and when no purpose is shown to be achieved by further detention, applicant succeed. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.0049 of 2025, registered with Amalner Police Station, District Jalgaon on executing Personal Bond of Rs.15,000/- with one surety in the like amount on following conditions:
 - [a] The applicant shall not tamper prosecution evidence.
 - [b] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.
 - [c] The applicant shall attend the concerned police station twice in every week i.e. on every Thursday and Monday between 10:00 a.m. to 02:00 p.m. till committal of case and thereafter, shall regularly attend each and every effective date before the trial court.

ABHAY S. WAGHWASE,
JUDGE