



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

927 BAIL APPLICATION NO. 709 OF 2025

VASANTABAI NARAYAN JADHAV

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant :

Mr. Y. G. Birajdar h/f. Mr. Namdev Shatrughan Shinde

APP for Respondent/State: Ms. R. R. Tandale

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CORAM : ARUN R. PEDNEKER, J.

DATE : 08.07.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is seeking bail as he was arrested on 02/03.10.2024 in connection with Crime No.0542/2024, dated 02.10.2024, registered with Udgir Rural Police Station, District Latur, for the offences punishable under Sections 8(c), 20(C)(2), 29 of the NDPS Act.

3] It is stated that the applicant was traveling in a car along with co-accused and the vehicle was intercepted on the basis of the secret information received by the investigating agency and that the applicant and other co-accused were found in possession of 2.46 Kgs of ganja containing flowering tops, stem leaves, Stock, seeds and seeds weighing 2.46 Kgs. of value of Rs.2,01,150/-.

Thereafter, on further investigation, accused no.1 disclosed that the ganja is brought from the oil tanker, which is kept in nearby vicinity and on being raided in tanker they found another 302.23 Kgs. of ganja at the instance of accused no.1. Accordingly, the applicant and the co-accused are charged for the above offence.

4] The learned counsel for the applicant submits that only 2.46 Kgs. of ganja was recovered at the instance of the present applicant and that it is an intermediate quantity. He also submits that there are no antecedents against the applicant.

5] Per contra, learned APP submits that 302.23 Kgs. of ganja was subsequently recovered at the instance of accused no.1. It cannot be stated that the applicant is not connected with the case. The applicant and the co-accused were carrying ganja of 2.46 Kgs. and later on at the instance of accused no.1 further 302.23 Kgs. of ganja was recovered from the oil tanker. She submits that it cannot be said that the applicant was not in possession of the entire ganja recovered.

6] It appears, as far as the present applicant is concerned, that she was found with 2.46 Kgs. of ganja, which is an intermediate quantity. There is no evidence to suggest that the applicant was also in possession of 302.23

Kgs. of ganja, which was subsequently recovered from accused no.1. In absence of said evidence, connecting the applicant with 302.23 Kgs. of ganja recovered from the oil tanker, it cannot be said that the applicant is found in possession of the same and regors of Section 37 of the NDPS Act would not come in to play as far as the present applicant is concerned. The applicant is in custody from 02/03.10.2024. The applicant would be entitled for bail.

7] In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.0542/2024, dated 02.10.2024, registered with Udgir Rural Police Station, District Latur, for the offences punishable under Sections 8(c), 20(C)(2), 29 of the NDPS Act, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and she shall attend each and every date, unless exempted by the trial Court.

d] The applicant shall not tamper with the evidence of the prosecution and she shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of her Contact Number and residential address with updates in case of any change.

8] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled.

9] It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

10] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE