



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

41 BAIL APPLICATION NO. 903 OF 2025

Vishnu Bhagwan Shinde

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Gandhi Amol Subhash

APP for Respondents-State: Ms. R. R. Tandale

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CORAM : ARUN R. PEDNEKER, J.

Dated : July 07, 2025.

PER COURT :-

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 in connection with FIR No.294/2024, dated 31/07/2024, registered with Naldurga Police Station, Naldurga, Tq. Naldurga, District Dharashiv, for the offences punishable under sections 20(B), 8 (C), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
3. The learned Counsel for the applicant submits that the Scorpio vehicle bearing No. MH-08/Z-5684, belonging to the applicant, was seized, and contraband, namely cannabis weighing 528.94 kg, was found in the said vehicle. The learned Counsel further submits that the applicant had given his vehicle to the driver, who is the accused found transporting the cannabis. It is contended that the applicant has absolutely no connection or relation with the co-accused who was transporting the contraband.
4. It is further submitted that the applicant, being the registered owner of

the Scorpio vehicle, has been falsely implicated in the present matter. The applicant had no knowledge that cannabis was being transported in his vehicle. There are no antecedents against the applicant. Apart from the fact that he is the owner of the vehicle, there is no evidence to establish his involvement with the contraband recovered from the vehicle in question.

5. The learned APP submits that the applicant was arrested as he had not satisfactorily explained how his vehicle was used in the commission of the crime. It is further submitted that the applicant failed to disclose the whereabouts of his driver. The learned APP also submits that the applicant has been arrested for not satisfactorily explaining how the contraband came to be transported in his vehicle.

6. Considering the rival submissions, apart from the ownership of the vehicle, there is no material on record indicating the applicant's involvement in the transportation of the contraband. Merely because the applicant is the owner of the vehicle, it is not possible to infer his involvement, especially when the driver was in exclusive possession of the vehicle. No evidence has been produced to demonstrate the applicant's participation in the alleged offence. The submission of the learned APP has been that the applicant was arrested on account of unsatisfactory explanation.

7. The applicant was arrested on 29/12/2024. The charge-sheet in the

matter has already been filed. In view of the above aspects and the absence of material implicating the applicant in the commission of the offence, the applicant is entitled to be released on bail.

8. In view of the above, the application is allowed in the following terms: -

a] The applicant shall be released on bail in connection with FIR No.294/2024, dated 31/07/2024, registered with Naldurga Police Station, Naldurga, Tq. Naldurga, District Dharashiv, for the offences punishable under sections 20(B), 8 (C), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, on furnishing PR bond of Rs.25,000/- 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 he 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 he 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 his Contact Number and residential address with updates in case of any change.

9. 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. 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, J.)

vj gawade/-.