



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

37 BAIL APPLICATION NO. 962 OF 2025

MANOJ RAVINDRA PATIL

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant :

Ms. Rashmi Kulkarni h/f. Mr. Kulkarni Suniket Anil

APP for Respondent/State: Mr. V. M. Jaware

...

AND

...

38 BAIL APPLICATION NO. 968 OF 2025

MAHESH ARUN ANDHURE

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Ms. Rashmi Kulkarni h/f. Mr.

Kulkarni Suniket Anil & Ms. Jakhade Rutuja L.

APP for Respondent/State: Mr. V. M. Jaware

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CORAM : ARUN R. PEDNEKER, J.

DATE : 04.08.2025

P.C. :

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

2] The applicants are seeking bail as they were arrested on 30.10.2024 in connection with Crime No.359/2024, dated 30.10.2024, registered with Mohadi Nagar Police Station, District Dhule, for the offences

punishable under Sections 8(c), 20(c), 22, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3] The learned counsel for the applicants has taken me through the seizure panchanama dated 30.10.2024 wherein description is given as under:

“ एका पांढऱ्या रंगाच्या गोणीत गांजा सदृश हिरवट पिवळसर रंगाचा अर्धवट ओलसर व सुकलेला पाने, बिया, काड्या असलेला उग्र वासाचा पदार्थ हा नरेश साखरलाल देसले यांचे प्रमाणित इलेक्ट्रिक वजन काट्यावर मोजून पाहता त्याचे वजन ३२.७८० किलो ग्राम आले. प्लास्टिकच्या गोणीत गांजा सीलबंद केला. त्याची २५,०००/- प्रति किलो अंदाजे.”

4] She has also taken me through the 52A Certificate dated 11.11.2024. She submits that 52A certificate does not describe the content but merely states it to be Ganja. The CA report is now available and describes the seized contraband as flowering / fruiting tops mixed with pieces of leaves, stalks, stems and seeds, which is a ganja.

5] The learned counsel for the applicants submits that there is discrepancy in all the reports. She submits that there is delay of about 11 days in drawing 52A certificate. She also submits that the sealing process is not appropriately done and there is possibility of tampering. She submits that all these aspects can be decided in the course of trial. There are no antecedents against the applicants. The applicants be granted bail.

6] The learned APP submits that the CA report clearly points out that the content sealed did have a flowering and fruiting tops which is ganja and the sample is also drawn in the presence of the Magistrate.

7] Having considered the rival submissions, prima facie, there is discrepancy in the police seizure report and 52A certificate and the CA report. The applicants has arguable defence before the trial court and that there are no antecedents against the applicants, thus, bail can be granted to the applicants.

8] In view of the above, the applications are allowed in the following terms:

a] The applicants shall be released on bail in connection with Crime No.359/2024, dated 30.10.2024, registered with Mohadi Nagar Police Station, District Dhule, for the offences punishable under Sections 8(c), 20(c), 22, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, on furnishing PR bond of Rs.20,000/- each with one or two sureties in the like amount to the satisfaction of the trial Court.

b] If the applicants are found in similar offence hereinafter bail granted in the present case will be liable to be re-called.

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

d] The applicants shall co-operate with the trial Court and they shall attend each and every date, unless exempted by the trial Court.

e] The applicants shall not tamper with the evidence of the prosecution and they shall not influence the informant, witnesses and other persons concerned with the case.

f] The applicants, upon being released on bail, shall place on record of the trial Court the details of their 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 applicants shall be liable to be cancelled.

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

11] The applications stand disposed of.

[ARUN R. PEDNEKER]
JUDGE

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