



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

931 BAIL APPLICATION NO. 1213 OF 2025

**GANESH PREMRAJ RATHOD
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr.J.M.Murkute
APP for Respondent-State : Mr.N.D.Batule

...
CORAM : ARUN R. PEDNEKER, J.
DATE : 10.07.2025

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 is arrested on 27.05.2025 in connection with Crime No.240/2025, registered with Ashti Police Station, Taluka Ashti, District Beed, for the offence punishable under Section 8 (C), 20(B) II-A of NDPS Act.

3] The case against the present applicant is that on 27.05.2025 when the police staff were on patrolling duty, they got information that the applicant was coming to Ashti to Kada Road for the purpose of selling ganja, accordingly, they decided to conduct the raid when they went to the spot and taken a search of the applicant and from the dikki of

the motorcycle of the applicant, he was found in possession of 1 kg. 006 gram ganja. The ganja was weighed along with plastic bag in which the ganja was packed. As such, the FIR is lodged against the present applicant.

4] The learned counsel for the applicant submits that if the weight of the plastic bag is reduced, the quantity of ganja is of small quantity and the same would be punishable under Section 20-B of the NDPS Act. He further submits that under Section 20-A of the NDPS Act, the maximum punishment is of one year. He further submits that the applicant is in custody from 27.05.2025 and there are no antecedents against the present applicant.

5] Per contra, the learned APP submits that there are antecedents against the present applicant under Section 323 of the IPC and not under the NDPS Act.

6] Considering the submissions of the parties and considering that the quantity of ganja is small quantity (weight of plastic bag should be more than 6 grams) being recovered from the applicant, the applicant is granted bail. In view of the same, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.240/2025, registered with Ashti Police Station, Taluka Ashti, District Beed, for the offence punishable under Section 8 (C), 20(B) II-

A of 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 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.

7] 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.

8] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE