



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

BAIL APPLICATION NO. 2317 OF 2024

Arun Tilakchand Padvi
Age: 39 years, Occu.: Labour,
R/o. Korai Khapar, Tq.Akkalkuwa,
Dist.Nandurbar.

....Applicant
(Orig. Accused)

Versus

The State of Maharashtra

.....Respondent

.....
Advocate for Applicant : Ms.Rutuja L. Jakhade
APP for Respondent : Mr.C.VBhadane

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 08 JANUARY, 2025

PRONOUNCED ON : 10 JANUARY, 2025

ORDER :

1. This is a regular bail application in Crime no.0720 of 2024 registered at Nandurbar City Police Station for offence under Sections 20, 22 and 8(c) of the Narcotics Drugs and Psychotropic Substances Act.

2. Learned counsel for the applicant pointed out that applicant is arrested in above crime on 17-11-2024. That there are allegations

that applicant was in possession of *Ganja*, but apparently its quantity was merely 13.086 kg i.e. below commercial quantity. It is pointed out that applicant has no criminal antecedents. He is behind bars since near about two months. That nothing is to be recovered and hence, she seeks relief of bail. Learned counsel pointed out that in similar case with similar allegation, as quantity was below commercial quantity, this Court was pleased to grant bail vide order dated 06-12-2024.

3. Learned APP opposed the application on the ground that applicant was apprehended with contraband. That investigation is still in progress and hence, he prays to reject the application.

4. Heard both the sides. Perused the FIR dated 17-11-2024 at the instance of official of Local Crime Branch, Nandurbar, who claims to have acted on the secret information and apprehended present applicant in presence of panchas in the vicinity of Bus Stand on 17-11-2024. Informant claims that applicant was in possession of dried *Ganja* worth Rs.2,61,720/- weighing 13.086 kg. and hence on his report, crime is registered for above offence and applicant is said

to be taken in custody. Admittedly, quantity seized is shown to be 13.086 kg. Learned APP does not deny that it is below commercial quantity. Only ground for opposing relief is that investigation is in progress. However, on Court query, learned APP conceded that seizure is already despatched to Chemical Analyzer. Therefore, in the light of above, relief as prayed deserves to be granted. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) Applicant Arun Tilakchand Padvi be released on bail in connection with Crime no.0720 of 2024 registered with Nandurbar City Police Station, Nandurbar on executing Personal Bond of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.
- (iv) Applicant shall attend the concerned Police Station as and when called by the Investigating Officer, till filing of the chargesheet.

(ABHAY S. WAGHWASE)
JUDGE