



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 540 OF 2025

Santosh Vasant Pathade
Age : 35 years, Occu : Transport,
R/o. Samarthnagar, Vadgaon Gupta,
MIDC, Taluka and District Ahilyanagar. ... Applicant

Versus

The State of Maharashtra
Through P.I. Bhingar Camp Police Station,
Ahilyanagar, District Ahilyanagar. ... Respondent

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Mr. A. S. Kakade, Advocate for the Applicant.
Mr. C. V. Bhadane, APP for Respondent-State.

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CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 30.04.2025

Pronounced on : 02.05.2025

ORDER :

1. Applicant seeks grant of regular bail on account of his arrest in crime no. 754 of 2024 registered at Ahmednagar Camp Police Station, District Ahmednagar for offences punishable under Sections 8(c), 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 [NDPS Act].

2. It is submitted that applicant is arrested in above crime on 27.10.2024. There are allegations that, a tempo was intercepted

which was occupied by three persons including present applicant, and search of the vehicle revealed that, ganja worth Rs.65,92,800/- was being transported. That, applicant was merely a driver, who was conducting business of transportation, He had given lift to two persons. The alleged contraband could be of said persons. Learned counsel took this court through the statement of Constable Lodhe and submitted that, alleged contraband was belonging to one Sameer Inamdar and it is not owned by applicant. Thus, it is submitted that applicant has no concern with the alleged contraband and as charge sheet is filed in January 2025, learned counsel urges for grant of bail.

3. Learned APP opposed on the ground that huge quantity of contraband has been seized after receiving tip of contraband being transported. Police raiding party was constituted and raid was successfully conducted. That, after following due procedure, search was made of the tempo, which was driven by present applicant and it was revealed that three persons, including present applicant, were carrying huge quantity of contraband. Therefore, quantity being huge, learned APP opposed.

4. Heard. Perused the FIR dated 27.10.2024. It transpires that on secret information about ganja being transported in a tempo bearing

no. MH 02 ER 4045, trap was laid and said vehicle was intercepted. Present applicant and two others, who gave their names as Akshay Bhand and Satish Kale, were inquired with. In search of the tempo, ganja weighing 199.700 kg. was found. Apparently, as submitted, huge quantity has been seized from the vehicle allegedly owned and driven by present applicant. Thus, though charge sheet is filed, this court is not inclined to grant relief. Hence, I proceed to pass the following order:

ORDER

The application is rejected.

[ABHAY S. WAGHWASE, J.]

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