



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 BAIL APPLICATION NO. 830 OF 2025

ROHIT SANJAY SHELKE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Syed Azizoddin R.
APP for Respondent/State : Mrs. A.S. Mantri
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 25/06/2025

P.C. :

1. Heard the 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 Crime No. 36/2025 dated 2.2.2025 registered with Chopda City Police Station, Jalgaon, District Jalgaon for the offences punishable under section 8(c), 20(b)(ii) and 22(B) of the Narcotics Drugs and Psychotropic Substance Act, 1985.
3. The case of the prosecution is that that the co-accused, who was granted bail vide aforesaid order and the present applicant were travelling in a vehicle, they were intercepted and they were found in possession of sack/bag. It is stated that the sack/bag was found in possession of the present applicant, however, both were travelling together. In presence of panchas, panchanama of the bag was carried out and it was found that the applicant was carrying leaves and flowers i.e. Ganja, weighing 14 kg 510 gm. of worth Rs. 1,45,000/-. Hence, the crime is registered for aforesaid offences.
4. The learned counsel for the applicant has relied upon order of this

Court dated 29.4.2025 passed in BA No. 532/2025, wherein this Court has granted regular bail to the co-accused in this crime. On the ground of parity, the learned counsel for the applicant prays for releasing the present applicant on bail.

5. The learned counsel for the applicant has taken me through para No. 4 of the above order, which is reproduced below :-

"4. Heard. Perused the papers. It is alleged that, on the ground that of secret information, raid was planned and trap was laid at Varad Phata. That, at around 18:50 hours Police party intercepted two persons proceeding towards Chopda. That one person, who was wearing a blue shirt was carrying a big sack / bag and another person, who was wearing ash colour shirt accompanied him. That, they were intercepted and enquired after following due procedure. That, their search was taken in presence of Panchas and in the said big bag, they were found to be carrying Ganja i.e. leaves and flowers. That, weight of the said Ganja was 14 kg. 510 gm. Worth Rs.1,46,000/-. Therefore, aforesaid crime came to be registered and applicant and one other accused were arrested."

6. The learned counsel for the applicant submits that the quantity seized is intermediate quantity and there are no antecedents against the applicant. The learned counsel submits that since co-accused is granted bail by above order of this Court, who was along with the present applicant and the quantity being intermediate quantity, bail can be granted to the applicant on the ground of parity.

7. The learned APP strongly opposed the application on the ground that huge quantity of Ganja was seized from the possession of the applicant and prays for rejection of the application.

8. Since 2.2.2025 the applicant was behind bars. Considering the order of this Court dated 29.4.2025 passed in BA No. 532/2025 by which bail is granted to the other co-accused in this crime and the quantity being

intermediate quantity, I deem it appropriate to grant regular bail to the applicant.

9. In view of the above, the application is allowed on the same terms and conditions as mentioned in the order dated 29.4.2025 passed in BA No. 532/2025 :-

a] Applicant shall be released on bail in connection with Crime No. 36/2025 dated 2.2.2025 registered with Chopda City Police Station, Jalgaon, District Jalgaon for the offences punishable under section 8(c), 20(b)(ii) and 22(B) of the Narcotics Drugs and Psychotropic Substance Act, 1985, on executing Personal Bond of Rs.15,000/- with one surety in the like amount.

b] Applicant shall not tamper prosecution evidence.

c] Applicant shall not leave jurisdiction of concerned Police Station till conclusion of trial, except for attending the dates before the trial Court.

10. 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.

11. 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.

12. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/