

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1028 OF 2025

Ravikant Suryakant Kamble

.. Applicant

Versus

The State Of Maharashtra

.. Respondent

.....

- Mr. Khush Khandelwal, Advocate for Applicant.
- Mr. Sukanta A. Karmakar, APP for State.

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 11, 2025

P. C.:

1. Heard Mr. Khandelwal, learned Advocate for Applicant and Mr. Karmakar, learned APP for State.

2. Applicant is arrayed as Accused No.1 in the present crime. It pertains to interception of a tempo carrying alleged contraband Cannabis (ganja) of commercial quantity which was intercepted at Panvel. Prima facie it is seen that ownership of Tempo belongs to Suman Sadashiv Bengade. According to a statement which is recorded by the prosecution of one Dashrath Bengade son of Sunanda, he has stated that his mother had given the said Tempo on hire to one Akash Mane and the present Applicant. When the tempo was intercepted, the said Akash Mane who was driving the tempo abandoned it and ran away from the incident spot and till today has not been apprehended

by the prosecution. Neither his statement is recorded nor he is arrayed even as an accused.

3. Learned Advocate for Applicant would submit that Applicant himself was hired by Akash Mane as a cleaner for the purpose of cleaning the tempo and to accompany him to bring the goods in the tempo. According to the prosecution case admittedly driver of the tempo was Akash Mane who on the Tempo being intercepted got down from the Tempo, abandoned it and ran away and the Applicant being unaware of the alleged contraband inside the tempo surrendered.

4. Mr. Karmakar, learned APP is directed to take appropriate instructions about the precise role of the Applicant because *prima facie* it is seen that Applicant has no nexus whatsoever with the Tempo / vehicle in question nor the alleged contraband which was intercepted with the alleged contraband as he claims to be the cleaner of the Tempo. While deciding the Bail Application of Accused No.2 on 21.01.2025 in Bail Application No.2053 of 2024 appropriate cognizance of the aforesaid facts were *prima facie* taken by the Court.

5. Considering the incarceration of the Applicant, present application will be heard and decided on the next adjourned date which shall be noted by the prosecution.

6. Stand over to **18th March, 2025**. To be listed on the Supplementary Board.

PR. Rajput

[MILIND N. JADHAV, J.]