

MHBU010007322024



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, BULDANA

SPECIAL CASE NO.47 OF 2024

Veer Singh Bhoora Singh ..Versus.. State of Maharashtra

ORDER BELOW EXH.9

(Passed on this 13th day of May 2025)

1] The present bail application is filed for grant of regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita in connection with Crime No.214/2024 registered with Police Station, Chikhli relating to the offence punishable under Sections 20(b) 20(b)(ii) (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2] The prosecution story in short, is that incident took place on 16.3.2024 at about 15.00 hours on Chikhli-Jalna road. At that relevant time, accused Chandrapal was found carrying “Ganja of 216.800 kilogram worth Rs.32,52,000/- in the Truck bearing No. UP-21-CN-4035. Therefore, accused Chandrapal was arrested and above-mentioned Ganja and offending vehicle was seized from his custody. On the basis of report, crime was registered against accused Chandrapal and during the investigation, as it was found that the Ganja was loaded as per the say of applicant Veer Singh, so, his name was arrayed in the charge-sheet. The charge-sheet was filed against accused Chandrapal and it was filed against applicant Veer Singh under Section 299 of Cr.P.C. Thereafter, supplementary charge-sheet was filed against the applicant. He was

arrested on 24.10.2024.

3] In the application, applicant contended that he was arrested on 24.10.2024 and was falsely implicated in this crime. He is owner of Container which was used in the alleged crime. He was not present on the spot of incident. There is no single evidence against him. There is no involvement of present applicant in the crime. He is doing business of running Car on rental basis. He used to rent Container for transport. He had talked with the co-accused as he is owner of Container. He has no concern with the incident. He showed readiness to abide by the conditions imposed the Court.

4] Learned APP Shri Hiwale has filed say below Exh.11 and objected the bail application on the count that the applicant is involved in commission of crime. The Container is used for carrying Ganja. The applicant is involved in commission of crime. If he is released on bail, he may tamper with the prosecution evidence and pressurize the witnesses. Considering the seriousness and gravity of offence, he requested to reject the bail application.

5] Learned Counsel of applicant has relied on following judgments-

A] Harbhajan Singh Vs. State of Haryana, Criminal Appeal No.1480 of 2011, decided by Hon'ble Supreme Court on 25.4.2023,

B] Gundu Apparao Deshpande Vs. Rashidabi Gulabhussain Shaikh, 2005 0 Supreme (Bom) 143.

6] Heard both the sides. Perused the record. It is found that the applicant is the owner of Container which was found carrying huge quantity of Ganja amounting to Rs.32,52,000/-. The quantity of Ganja

was 216.800 Kg. Considering the gravity of offence and seriousness of offence, the applicant is not entitled for grant of bail.

7] It is submitted by the applicant that charge-sheet is filed and investigation is completed. However, considering the seriousness of the offence and considering the huge quantity of Ganja, the applicant is not entitled for grant of bail. The applicant is found to be owner of Container which was carrying Ganja of commercial quantity which is a serious offence. In such circumstances, the applicant is not entitled for grant of bail.

8] The case laws-Harbhajan Singh Vs. State of Haryana, and Gundu Apparao Deshpande Vs. Rashidabi Gulabhussain Shaikh are not applicable in the present case as the observations therein are made, after conclusion of trial. However, in the present case, the trial is yet to be started.

9] If the applicant is released on bail, there is possibility that he may abscond and he may tamper with the prosecution evidence. So also, he may pressurize the witnesses. So, considering this, applicant is not entitled to be released on bail. Hence, I pass the following order.

ORDER

Bail application (Exh.9) is rejected.

Buldana
Date:13.5.2025

(Manjusha V. Deshpande)
I/c Sessions Judge,
Buldana