



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

ANTICIPATORY BAIL APPLICATION NO. 1915 OF 2025

Hamid Khan S/o Gous Khan,
Age : 68 Years, Occu. : Labour,
R/o Nai-abadi, Nanded,
Tq. and Dist. Nanded. .. Applicant

Versus

The State of Maharashtra and another .. Respondents

Shri Pratap P. Madlik, Advocate for the Applicant.
Shri N. R. Dayma, A.P.P. for the Respondent No. 1.

CORAM : R. M. JOSHI, J.

DATE : 18TH AUGUST, 2026.

FINAL ORDER :

. Applicant seeks pre-arrest bail in connection with Cr. No. 10/2024 registered with Shivaji Nagar Police Station, Nanded for the offences punishable U/Sec. 20-(b) ii and 22(b) of the N. D. P. S. Act.

2. It is the case of the prosecution that secret information was received on 08.01.2024 with regard to some persons coming to the spot for sell of contraband articles. Trap was held. Accused were arrested. From their possession contraband ganja was seized. During the course of investigation on the basis of statement given by co-accused name of the present applicant was revealed.

3. Learned counsel for the applicant submits that liberty of the applicant was protected by interim orders passed by this Court and during the pendency of application charge sheet came to be filed against co-accused. It is his further submission that except statement of the co-accused there is absolutely no evidence to connect the present applicant with the crime. He prays to confirm the interim relief.

4. Learned A. P. P. opposes the application and grant of anticipatory bail to the applicant by citing seriousness of the crime, so also the statement of co-accused. According to him it is revealed during the course of investigation.

5. Needless to state that statement of co-accused recorded U/Sec. 67 of the Act is not admissible in the evidence. During the trial even if it is accepted for the purpose of investigation, such statement is considered by the investigating agency in view of said statement name of the applicant is revealed, after 08.01.2024 there is no further evidence collected by the investigating agency to connect the applicant with the crime in question. This Court finds no justification to reject the application. Hence I pass following order.

O R D E R

1. The anticipatory bail application is allowed.

2. In the event of arrest of applicant Hamid Khan S/o Gous Khan, in connection with Cr. No. 10/2024 registered with Shivaji Nagar Police Station, Nanded for the offences punishable U/Sec. 20-(b) ii and 22(b) of the N. D. P. S. Act, he shall be released on bail on furnishing PR Bond of Rs. 30,000/- (Rs. Thirty Thousand only) with one surety in the like amount.
3. The applicant shall cooperate during the course of trial.

[R. M. JOSHI, J.]

bsb/Aug. 26