

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

**939 BAIL APPLICATION NO.268 OF 2023**

SAGAR BHAUSAHEB BHALERAO  
VERSUS  
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. V. P. Palsodkar h/f Mr. Shantanu  
Dhumal.

APP for Respondent-State : Mr. S. P. Sonpawale.

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**CORAM : S. G. MEHARE, J.**

**DATE : 23.02.2023**

**PER COURT :-**

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.

2. The co-accused has been released on bail due to non-compliance of the provisions of Section 42(1) of N.D.P.S. Act. The same rule applies to the present applicant. Non-compliance of Section 42(1) of the N.D.P.S. Act is a glaring defect that entitles the accused to get the bail. On this sole ground, the bail application deserves to be allowed. Hence, the following order :

**ORDER**

(i) Bail Application is allowed.

(ii) Applicant **SAGAR BHAUSAHEB BHALERAO** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.148 of 2022, registered by Police Station Begumpura, District Aurangabad, for the offences punishable under Sections 20(b)(ii), 29 and 8(c) of the N.D.P.S. Act, on the following conditions :

- (a) The applicant shall not tamper with the prosecution witnesses.
- (b) He shall attend the trial on each and every effective date.
- (d) He shall not involve in the similar crime.

**(S. G. MEHARE, J.)**

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vmk/-