



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 818 OF 2025

Gajanan Rajaram Pimparne

....Applicant

VERSUS

The State Of Maharashtra

.....Respondent

.....
Advocate for Applicant : Mr. Bagal Aakash Vishnu
APP for Respondents: Mr. R.K. Ingole.

CORAM : MEHROZ K. PATHAN, J.

DATE : 6th NOVEMBER, 2025.

P.C. :-

The applicant has filed present application thereby praying for his release on anticipatory bail in connection with crime No. 0096 of 2025, registered with CIDCO police Station, District Chhatrapati Sambhajinagar for the offences punishable under Sections 8-C and 27 of the N.D.P.S. Act.

2 The allegations against present applicant is that, accused Anwar Khan was found consuming contraband Ganja while the Police Inspector was on the Patrolling Duty during night time on 14.2.2025. It is alleged that when Anwar Khan was caught and inquired on the supply of contraband Ganja, he named the present applicant to have supplied /sold the contraband Ganja to him. The FIR was therefore lodged under Section 27 of the N.D.P.S. Act. As such, accused Anwar Khan was caught and released after arrest. The applicant is apprehending arrest in the said offence as his name has surfaced as supplier of contraband Ganja to the said Anwar Khan.

3. The learned counsel for the applicant submits that merely on suspicion, the applicant is being harassed and shown to be absconding. The statement of main accused could not be relied upon to implicate the present applicant, particularly, when the contraband seized is not of commercial quantity. The counsel for the applicant further states that the main accused Anwar Khan was arrested and released on bail, who was found to have consumed contraband Ganja. The custodial interrogation of the applicant may not be necessary as the applicant is ready to cooperate with the investigation and attend the Investigating Officer.

4. As against this, the learned APP made available the investigating papers and also made the Investigating Officer present in the Court. Upon instructions, it is stated that there are three other offences registered on the same day against the present applicants, wherein, the applicant is also arrayed as one of the accused, who had supplied the contraband Ganja to the other accused persons who were found consuming Ganja. He, therefore, submits that there is a possibility of a racket of suppliers of Contraband Ganja being unearthed and, therefore, custodial interrogation of the applicant is necessary.

5. I have seen the investigation papers and considered the submissions advanced. Although all the FIRs against the present applicants are registered one after other on the same day, thereby creating a doubt about the prosecution story, however, it would be upto the prosecution to prove the same during the course of trial. However, since there are no criminal antecedents against the present applicant showing his involvement in similar offence under the NDPS act prior to the FIRs filed on same day and the Ganja seized is not commercial quality, I am inclined to exercise discretion under Section 438 of Cr.P.C. Hence, the following order :-

O R D E R

[I} In the event of arrest of the applicant in connection with crime No.0096 of 2025, registered with CIDCO police Station, District Chhatrapati Sambhajnagar for the offences punishable under Sections 8-C and 27 of the N.D.P.S. Act, he be released on furnishing P.R. Bond in the sum of Rs. 50,000/- with one or more sureties in the like amount; on the following conditions :-

[I] The applicant shall attend the Investigating Officer twice in a week on every Monday and Friday and as and when called by the I.O. till filing of charge sheet.

[ii] The applicant shall not tamper with the prosecution evidence and/or influence the witnesses in any manner.

[iii] The applicant shall furnish his Aadhar Card and Pan Card to the I.O. and phone numbers and addresses of two near relatives of the applicant.

[iv] The applicant shall also furnish addresses of two nearest relatives of the applicant to the I.O.

[v] The application stands disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-