



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

930 BAIL APPLICATION NO. 1192 OF 2025

Sandip Sanjay Rathod

VERSUS

The State Of Maharashtra And Another

...

Advocate for Applicant : Mr. Salunke Sudarshan J.

APP for Respondents-State: Mr. S. K. Shirse

...

WITH

BAIL APPLICATION NO. 1265 OF 2025

Vinod Vilasrao Gangane @ Pintu Vilas Gangane

VERSUS

The State Of Maharashtra And Another

...

Advocate for Applicant : Senior Counsel Mr. R. N. Dhorde a/w Mr. S. S.

Dudhane h/f Mr. V. R. Dhorde

APP for Respondents-State: Mr. S. K. Shirse

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CORAM : ARUN R. PEDNEKER, J.

Dated : July 10, 2025.

PER COURT :-

1. In BA/1192/2025, list the matter on 24/07/2025.
2. In BA/1265/2025, heard the learned Senior Counsel for the applicant and the learned APP for the respondent-State.
3. The applicant is seeking bail as he was arrested in connection with FIR No.0022/2025 dated 15/02/2025, registered with Tamalwadi Police Station, District Osmanabad, for the offences punishable under Sections 8(c), 21(b), 27, 27(a), 29, and 68(c) of the *Narcotic Drugs and Psychotropic Substances Act, 1985*.

4. The FIR is registered against the applicant and various other co-accused for possession and consumption of narcotic drugs. As far as the present applicant is concerned, he is arrested only for consumption of narcotics, an offence punishable under Section 27 of the said Act.

5. The learned Counsel for the applicant further submits that during the pendency of his anticipatory bail application, the applicant was granted interim protection and had fully cooperated with the investigation. Even after his arrest, he has continued to cooperate with the investigating agency.

6. The learned Senior Counsel for the applicant out that the statement dated 15/02/2025 of the Police Officer namely Sudarshan Bharat Kasar has been filed along with the charge-sheet. The police officer was part of the raiding and investigation team. From the said statement, it appears that the applicant had cooperated with the investigating agency in identifying the persons involved in the drug network as he was the consumer of the drug.

7. The learned APP further submits that during the course of the investigation, a large number of persons were found to be involved in the drug business, as such bail application of the applicant be rejected.

8. However, as far as the present applicant is concerned, he is only a consumer of narcotics and has no monetary benefits of the drug transactions as such is not a drug peddler. The prosecution itself has invoked Section 27 of the *NDPS Act* against the applicant, indicating that he is a consumer and not a trafficker. There is no recovery made at the instance of the applicant.

9. The earlier anticipatory bail application was rejected by this Court, and thereafter, the applicant was arrested on 07/06/2025. He continues to be in custody since then.

10. Considering that the offence as made out against the applicant only under Section 27 of the *NDPS Act*, which is punishable with imprisonment up to one year, and that there are no criminal antecedents against him, the applicant is entitled to be released on bail.

11. In view of the above, Bail Application No.1265/2025 is allowed in the following terms : -

a] The applicant in BA/1265/2025, namely Vinod Vilasrao Gangane @ Pintu Vilas Gangane, shall be released on bail in connection with FIR No.0022/2025 dated 15/02/2025, registered with Tamalwadi Police Station, District Osmanabad, for the offences punishable under Sections 8(c), 21(b), 27, 27(a), 29, and 68(c) of the *Narcotic Drugs and Psychotropic*

Substances Act, 1985, on furnishing a PR bond of ₹25,000/- with one or two sureties in the like amount, to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant in any manner whatsoever during the pendency of the trial.

c] The applicant shall cooperate with the trial Court and shall attend each and every hearing, unless specifically exempted by the trial Court.

d] The applicant shall not tamper with the prosecution evidence and shall not influence the informant, witnesses, or any other persons concerned with the case.

e] Upon release, the applicant shall place on record before the trial Court his contact number and residential address and shall update the same in case of any change.

12. Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter uninfluenced by the observations made hereinabove.

13. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.