



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

986 BAIL APPLICATION NO. 1286 OF 2025

KALYAN MANMATHAPPA RODE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Somnath G. Ladda.
APP for Respondent/State : Mr. N. B. Patil.
...

CORAM : **SANJAY A. DESHMUKH, J.**
DATE : 18th September, 2025.

P.C.:

1 Heard.

2 This is an application for grant of regular bail in connection with Crime No.151 of 2025, registered with Satara Police Station, District Chhatrapati Sambhajinagar (City), for the offences punishable under Sections 8(c), 20(b)(ii) and 29 of the N.D.P.S. Act.

3 The informant, Police Head Constable of the Crime Branch, Chhatrapati Sambhajinagar, averred in the report that on 10th April, 2025, a secret information was received and accordingly, he alongwith other police officials and *Panchas* effected raid, in which the applicant and other co-accused were found with the Ganja / cannabis. The cannabis seized from co-accused Mukesh weighed 8.137 Kgs

alongwith gunny bags. It is further averred that co-accused Mukesh told that it was brought by the applicant. Upon enquiry with the applicant, the applicant told that he has brought the same from co-accused Popatrao Nagode. Therefore, the report was lodged.

4 The learned counsel for the applicant submitted that the applicant is falsely implicated in the crime. Though the applicant was also arrested in Crime No.52 of 2013 and that case is pending, he has been released on bail in that crime. Though it is stated in the report by co-accused Mukesh that the applicant has brought cannabis, it is inadmissible in the evidence. He submitted that except that, there is no incriminating material against the applicant. He further submitted that the applicant has roots in the society and he will not flee away from the trial. The trial will take long period. It is lastly prayed to allow the application.

5 The learned APP for the State strongly opposed the application and submitted that the applicant is involved in the serious crime. He has criminal antecedents. He was arrested in Crime No.52 of 2013 and that case is pending. If he is released on bail, he will certainly indulge in similar activities again and will commit similar nature of crime. He will pressurize the prosecution witnesses and tamper with the evidence. It is lastly prayed to reject the application.

6 Perused the charge-sheet, particularly, the report and the statements of witnesses, including the inventory. Considering the allegations made against the applicant in the report that nothing is seized at his instance and that he has roots in the society and he will not flee away from the trial so also the trial will take long period, without adverting to the merits of the case, the application deserves to be allowed on the principle that bail is rule and jail is exception. The application deserves to be allowed on certain conditions. Hence, the following order:-

ORDER

- I. The application is allowed.
- II. The applicant in connection with Crime No.151 of 2025, registered with Satara Police Station, District Chhatrapati Sambhajnagar (City), for the offences punishable under Sections 8(c), 20(b)(ii) and 29 of the N.D.P.S. Act, be released on bail on furnishing personal bond of Rs.50,000/- with surety of the like amount on following conditions:-
 - a) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

b) The applicant shall not indulge in similar activities again.

III. If the investigating officer notice that the applicant is engaged in similar activities again, he may apply for cancellation of bail before the Special Court seized with the matter. If such an application is filed, the learned Special Court is directed to decide the same on its own merits without reference to this Court.

[SANJAY A. DESHMUKH, J.]

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