



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 BAIL APPLICATION NO. 1712 OF 2025

SAMADHAN MAHADEV UMBASE

VERSUS

THE STATE OF MAHARASHTRA

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Ms. Suvarna Y. Sagale a/w. Mr. Rupesh Kamble h/f. Ms. Pooja Anant Dongre and Ms. Rajnandini Madhavrao Kawale, Advocate for Applicant.

Mr. S. B. Narwade, APP for Respondent-State.

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 9th OCTOBER, 2025

PC.:-

1. Heard learned Advocate for the applicant and learned APP for the Respondent-State.
2. This is an application for granting regular bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS). The Applicant is arrested in Crime No.181 of 2025, registered with Jawahar Nagar Police Station, Taluka and District Ch. Sambhajinagar, for the offence punishable under Sections 18(c), 27 of Drugs and Cosmetics Act, 1940 read with Sections 22(b), 8(c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.
3. The Informant stated in the report that Police Officer Ponni Bagwade received information from a reliable secret informer that a person described as a tall, heavily built man, wearing either a white shirt and jeans or a white T-shirt and half pants would arrive at the

parking lot near the “Bell Car” adjacent to the water tank at Shivajinagar in the evening for the purpose of selling “Nitrazepam Tablets.” Accordingly, Ponni Bagwade made an entry regarding the said information in the office diary and sought permission from the Assistant Commissioner of Police (Crime) through a written communication. The said permission was duly granted. Thereafter, panch witnesses were informed and made aware of the presence of the suspected accused. Simultaneously, an intimation was sent to the Food and Drug Administration seeking the presence of a Drug Inspector. In response, Drug Inspector Mr. Manoj Bhanudas Paithane from the Food and Drug Administration Department attended. Subsequently, the raiding team, comprising officers and panch witnesses, proceeded to the spot in both government and private vehicles, carrying necessary equipment such as laptops, printers, sealing and labeling material, lacquer seals, and packing supplies. Upon arrival, the persons as mentioned before the Court were searched, and the bag in their possession was inspected. Upon inspection, the following articles were found therein:

“Upon inspection of the bag in possession of Krishna Anna Lashkare (Accused No.1), 1 strip containing 10 tablets, totaling 60 tablets in 6 strips, marked as Nitrazepam Tablet IP were found. In the presence of panch witnesses, a total of 700 (seven hundred) tablets were seized under a proper

panchnama. Thereafter, the said Accused Krishna Anna Lashkare was placed under arrest in accordance with law.

4. Learned Advocate for the Applicant submits that the Applicant has no criminal antecedents. It is contended that only 7 grams of Nitrazepam Tablets have been seized at the instance of the Applicant. The Applicant has deep roots in society and there is no likelihood of his absconding or evading the trial. It is further submitted that the trial is likely to take considerable time for its conclusion. Hence, considering that the contraband seized is less than the small quantity, the Learned Advocate prays that the Applicant be released on bail.

5. Learned APP for the Respondent–State strongly opposes the application and submits that the Applicant is involved in a serious offence. It is contended that the provisions of the Drugs and Cosmetics Act are also attracted in the present case. Learned APP further submits that the nature of the offence is grave, and the possibility of the Applicant committing a similar offence in the future cannot be ruled out. It is further urged that, if he released on bail, the Applicant may influence or pressurize the prosecution witnesses and may tamper with the evidence. Considering the gravity of the offence and the material collected against the Applicant, it is lastly prayed that the application be rejected.

6. Perused the charge-sheet, particularly the report, seizure panchnama, and the statements of witnesses. It appears that the Applicant has no criminal antecedents. The seized tablets weigh 7 grams, which is less than the small quantity as prescribed under the law.

7. In view of the above, the application is allowed in the following terms :

ORDER

a] The Applicant shall be released on bail in connection with FIR No.181 of 2025 dated 20th May 2025, registered with Jawahar Nagar Police Station, Taluka and District Ch. Sambhajinagar, on furnishing PR bond of Rs.50,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The Applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

8. If it is noticed that the Applicant is involved in any offence of a similar nature in the future, the Trial Court / Special Court shall be at liberty to take appropriate action for cancellation of bail, either suo motu or upon any application made by the prosecution, and shall decide the same on its own merits, notwithstanding the fact that the

present bail has been granted by this Court.

9. The application stands disposed of.

(SANJAY A. DESHMUKH, J.)