



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

BAIL APPLICATION NO. 2285 OF 2025

ABHIJIT ANIL GAWHAD
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Shrikant G. Kawade
APP for Respondent : Mr. S. G. Sangale

...
AND
BAIL APPLICATION NO. 2255 OF 2025

YUVRAJ S/O. DEVIDAS DALVI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Shrikant G. Kawade
APP for Respondent : Mr. S. G. Sangale

CORAM : SACHIN S. DESHMUKH, J.

DATE : 15-12-2025

PER COURT:-

1. The applicants have approached this Court seeking regular bail in connection with FIR bearing Crime No. 22 of 2025 dated 15.02.2025, registered with Tamalwadi Police Station, District - Dharashiv, for the offences punishable under section 8(c), 21(b), 27 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985. The applicants are arrested on 15.02.2025.
2. The learned counsel for the applicants pointed out the report and submitted that the informant received secret information that

certain individuals were carrying the prohibited narcotic substance. Accordingly, he informed that fact to P.S.I. and the trap was planned. The Police party thereafter proceeded to the spot at Tamalwadi Toli Naka. One suspicious vehicle was found parked on the road side. It was noticed, three persons were sitting in the said vehicle. They were questioned as to why they were sitting there. On inquiry, the accused persons told their names as Yuvraj/present applicant, Amit alias Chimiya Ashokrao Argade and Sandip Sanjay Rathod. The car was secured on the road side. A forensic van alongwith an expert was called at the spot. The accused persons were found with the MD of 45 grams.

3. Accordingly, they communicated about the seizure of the contraband. Notice was issued to them under Section 50 of the NDPS Act. In their presence, the contraband of 45 gram was seized i.e. white coloured powder. Out of said quantity, two samples of 1 gram each were drawn for chemical analysis. At that time, forensic experts expressed that the seized substance appeared to be MD.

4. FIR was registered against the present applicants and other co-accused for possession and consumption of Narcotic drugs.

5. Learned counsel for the applicants submits that chargesheet has been filed. The applicants are falsely implicated in the alleged offence. It is also submitted that every transaction is regarded in relation to alleged use of narcotic substance with accused person.

The applicants have not availed any monetary benefits of drug transactions, as such, cannot be regarded as consumers, peddlers or traffickers.

6. Considering the fact that even the quantity of seized substance, *prima facie*, do not exceed the commercial quantity and rather same is a small quantity. Also considering the fact that a co-ordinate Bench of this Court in Bail Application No. 1192 of 2025, 1541 of 2025 (Coram: Arun R. Pedneker, J.) and 961 of 2025 (Coram: Sanjay A. Deshmukh, J.), as well as this Court, in Bail Application No.2185 and 2199 of 2025, the other applicants/co-accused are granted bail.

7. In that view of the matter, case is made out for grant of bail even on the principle of parity applies to the applicants, same is not disputed by the learned A.P.P..

8. Hence, the order;

ORDER

- (i) Applications are allowed.
- (ii) Applicant, Abhijit Anil Gawhadand, in BA/2285/2025 and applicant, Yuvraj s/o. Devidas Dalvi, in BA/2255/2025, be released on regular bail, upon their furnishing P.R. bond in the sum of Rs.50,000/- (Fifty Thousand only) each, with one or two local solvent sureties each, in the like amount, in connection with Crime No.22 of 2025 dated 15.02.2025,

registered with Tamalwadi Police Station, District - Dharashiv, for the offences punishable under section 8(c), 21(b), 27, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, on the following conditions :-

- (a) The applicants shall not contact the informant, in any manner whatsoever, during the pendency of the trial.
- (b) The applicants shall co-operate with the trial Court and they shall attend each and every date, unless exempted by the trial Court.
- (c) The applicants shall not tamper with the prosecution evidence and he shall not influence the informant, witnesses and other persons concerned with the case.
- (d) The applicants, upon being released on bail, shall place on record of the trial Court the details of their Contact Numbers and detailed residential addresses with updates in case of any changes.
- (e) In case of violation of any of the aforesaid conditions, the bail granted to the applicants shall be liable to be cancelled.

9. Needless to state that the observations rendered hereinabove are to the extent of consideration of the bail applications and trial judge may not get influenced by these observations and shall consider the case/s on the basis of evidence on record and in accordance with law.

[SACHIN S. DESHMUKH]
JUDGE