

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2922 OF 2025

Asad Hasan Dehluj

...Applicant

Versus

State of Maharashtra and Anr.

...Respondents

Mr. Abhijit D. Kulkarni for the Applicant.

Ms. Veera Shinde, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 13th OCTOBER, 2025.

P.C.

1. By this application, applicant is seeking regular bail in crime no. 353 of 2025 registered with Barshi City Police Station, District-Solapur for the offences punishable under Sections 8(c), 22(B) and 29 of the Narcotic Drugs and Psychotropic Substances, Act, 1985, under Sections 3 and 25 of the Arms Act, 1959 and under Section 135 of the Maharashtra Police Act, 1951.

2. It is the prosecution's case that on 17th April, 2025, on secret information, police intercepted one Altice Car. In the search of said car, the police found three persons. Applicant is one of them. In the personal search of the applicant, the police found 9.19

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grams Mephedrone and pistol.

3. It is contention of learned counsel for the applicant that in FIR, though, the police have mentioned 9.19 Mephedrone was found with the applicant, in the inventory panchanama, it is mentioned as 17.090 grams. There is discrepancy about the weight of Mephedrone found in possession of the applicant. He further submits that no finger prints of the applicant was taken though, pistol is recovered from the applicant. The said pistol is sent for FSL examination without finger prints of the applicant. At this stage, it cannot be said that it was recovered from the applicant. Applicant is behind bar around five months. Investigation is completed. Charge-sheet has been filed. Applicant has no antecedents. Hence, requested to allow the application.

4. It is contention of learned APP that the applicant found with Mephedrone and pistol. If the applicant released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both the learned counsel, perused the FIR and documents produced on record.

6. It appears from record that there is discrepancy in the weight of Mephedrone mentioned in the FIR and inventory panchanama. The

Mephedrone found in the possession of the applicant is intermediate quantity. Thought it is prosecution's case that, pistol is recovered at the instance of the applicant, no finger prints of the applicant is taken to show that any finger prints is available on pistol or not. Applicant is behind bar more than 5 months. Investigation is completed. Charge-sheet has been filed. Applicant has no antecedents. Considering these facts, further detention of applicant is not required and I pass following order:

ORDER

- I. Application is allowed.
- II. The applicant be enlarged on bail in crime no. 353 of 2025 registered with Barshi City Police Station, District- Solapur on executing P .R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.
- III. The applicant shall attend the Court dates regularly.
- IV. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
7. The application is allowed in the aforesaid terms and is accordingly disposed off.
8. It is made clear that the above observations are made only for

the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)