



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

CRIMINAL APPLICATION (APPLN.) NO. 71 OF 2023

The State of Maharashtra, through PSO PS Gittikhadan, Nagpur City .Vs. Sheikh
Irshad @ Monu S/o. Sheikh Afasar

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Ms Mayuri Deshmukh, APP for the applicant/State
Mr N. K. Bhangade, Advocate for non-applicant

CORAM : RAJNISH R. VYAS, J.
DATED : OCTOBER 09, 2025.

Heard learned APP Ms Mayuri Deshmukh for the
applicant/State and learned counsel Mr N. K. Bhangade for
the non-applicant.

2. The non-applicant is the original accused. He was
named as accused in Crime No. 102 of 2020 registered with
the police station Gittikhadan, Nagpur, for commission of
offences punishable under Sections 20 and 29 of the Narcotic
Drugs and Psychotropic Substances Act, 1985 and Sections
3(1)(i)(ii), 3(2), 3(4) of the Maharashtra Control of
Organized Crime Act, 1999.

3. The bail application of the non-applicant was
rejected by the trial Court and thereafter, he approached this
Court by preferring Criminal Application (BA) No. 626 of
2022. This Court (Coram : Anil S. Kilor, J) vide order dated
22.08.2022 had granted bail to the non-applicant on certain
conditions including condition (c), which reads as under:

“(c) The applicant shall attend the concerned Police Station on 1st and 16th day of each month between 10:00 am to 12:00 noon, till the culmination of the trial.

4. It is the case of the applicant that the non-applicant/accused has not obeyed the said condition since he did not attend the police station on 1st and 16th day of each month between 10:00 am to 12:00 noon till the culmination of the trial.

5. Mr N. K. Bhangade, learned counsel for the non-applicant/accused submits that his client was not informed by the earlier counsel regarding condition put in order dated 22.08.2022. In order to buttress his condition, he has relied upon judgment in the case of *Bhagwat S/o. Narayanrao Saidane .v/s. State of Maharashtra and another*¹. He, therefore, requests this Court that a chance be given to his client since his client was not aware about the condition.

6. I have perused the record.

7. The condition was imposed upon the non-applicant to attend the police station on 1st and 16th day of each month till culmination of trial, vide order dated 22.08.2022.

8. Though, Mr Bhangade, learned counsel for the non-applicant contended that earlier counsel did not inform, but the fact remains that even after non-applicant/accused

¹ 2013 ALL MR (Cri.) 4163

getting knowledge, he did not attend the police station. The conduct of the non-applicant accused speaks volume for itself.

9. So far as fact of non-attendance is concerned, same is not denied by the non-applicant. It must be noted that non-applicant was granted bail in serious offences registered under the Narcotic Drugs and Psychotropic Substances Act, 1985 so also the Maharashtra Control of Organized Crime Act. The act of the accused in not attending the police station, though directed, clearly shows that accused has no respect for law.

10. The judgment cited by Mr N. K. Bhangade, learned counsel for the non-applicant cannot be made applicable to the present case since in that case the accused subsequently attended the investigating agency.

11. In that view of the matter, the criminal application is **allowed**.

12. Bail granted to the non-applicant vide order dated 22.08.2022 is hereby stands cancelled.

13. The non-applicant/accused-Sheikh Irshad @ Monu S/o. Sheikh Afasar shall surrender within one week from today before the trial Court.

14. The criminal application stands **disposed of**, accordingly.

[RAJNISH R. VYAS, J]