



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

BAIL APPLICATION NO.1708 OF 2025

1. D.J. @ Prathamesh Mallesh Gore
2. Ravi @ Raviraj Suresh Kadam ... **APPLICANTS**

VERSUS

The State of Maharashtra ... **RESPONDENT**

.....
Ms Monica Dahat, Advocate for applicants
Mr. D.B. Bhange, A.P.P. for respondent – State
.....

CORAM : SACHIN S. DESHMUKH, J.

DATE : 21st JANUARY, 2026

PER COURT :

1. By this application, the applicant seeks release on bail in connection with Crime No.294/2024, registered with Naldurg Police Station, District Osmanabad for the offences punishable under Sections 20(b), 8(c), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The prosecution case in short is that, on 30/7/2024 at 9.00 p.m., the informant who is Police Inspector, Naldurg Police

Station, District Dharashiv, along with other police personnel were patrolling in the vicinity of Naldurg Bus Stand, one White colour Scorpio car was seen going in suspicious condition at the opposite side of Shahawali Dargah on Bus Stand to Solapur Road. When they stopped the said vehicle, two persons got down from the said vehicle and ran away. On being asked the name to the person who was sitting in the vehicle, he told his name as Atish Rajkumar Mane, R/o Solapur and further told the names of the persons who ran away as Bhima Khalsode, R/o Amrai, Solapur and Kalke, R/o Mulegaon Tanda, Solapur. On inquiry as to what is there in the vehicle, he told that it is Ganja. Thereafter, the vehicle was taken by the side and after completing the formalities, the spot panchanama was conducted in presence of panchas and on search of the vehicle, 259 packets totally weighing 528.94 Kgs., valued at Rs.1,05,78,800/- in which Ganja like substance was found, which came to be seized in presence of panchas and the Scorpio car bearing Registration No.MH-08-Z 5684 and one Samsung mobile phone also came to be seized for the purpose of investigation.

3. It is further alleged that, the said person was brought to the Police Station and on further interrogation, he named the other

persons as (1) Kalme, (2) Bhimrao Dilip Khalsode, (3) ram Dilip Khalsode, (4) Rahul, (5) D.J. and also told that, the person namely Ravi was also accompanied with him in the Swift vehicle.

4. Learned counsel for the applicants submits that, the applicants are falsely implicated in the present case and there is no direct material against them. The applicants were not present in the Scorpio vehicle in which the Ganja was allegedly found and they are not owners of the Scorpio vehicle and the applicants have been arrested only on the basis of the statement of the co-accused. The learned counsel also disputed the quantity of the Ganja. It is further submitted that, the co-accused Rahul Hiwale has been granted bail by this Court by order dated 18/7/2025 in Bail Application No.1204/2025. As such, even on the ground of parity, the applicants deserve to be released on bail. Hence, prayed to allow the application.

5. Per contra, learned A.P.P. vehemently opposed to allow the application contending that, the offence committed is serious and huge quantity of Ganja is seized.

6. Considering the fact that the vehicle wherein the applicants were travelling, was an independent vehicle, and the

only assertion is made of it was being escorting the vehicle wherein the alleged contraband was found. However, except bare assertion, there is no material placed on record indicating and establishing the complicity of the applicant in the alleged incident. Nevertheless, the applicants were arrested on 2/8/2024. After arrest of the applicants, the investigation is complete for all intents and purpose. Therefore, further incarceration of the applicants, according to this Court, is unjustified. Even on the ground of parity, the applicant deserves to be released on bail. This Court has considered the application of the co-accused and enlarged on bail. As such, even on parity, the application warrants consideration.

7. Thus, the application warrants consideration, and accordingly, the discretion deserves to be exercised in favour of the applicants. Hence the order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicants D.J. @ Prathamesh Mallesh Gore and Ravi @ Raviraj Suresh Kadam be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) each with one solvent surety of the like amount by each of them in the above crime, on

the conditions that :

- (a) The applicants shall not tamper with the prosecution witnesses.
- (b) The applicants shall remain present on each date, unless exempted by the trial Court.
- (iii) Needless to state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial Court shall proceed independently and uninfluenced by the observations made hereinabove.

(SACHIN S. DESHMUKH, J.)

fmp/-