



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

BAIL APPLICATION NO. 2034 OF 2025

Sayyed Sheru Sayyed Budan,
Age : 47 Years, Occu. : Shepherd,
R/o Near Madina Masjid,
Panchshel Nagar, Bhusaval,
Tq. Bhusaval, Dist. Jalgaon. .. Applicant

Versus

The State of Maharashtra .. Respondent

Shri Chaitanya C. Deshpande, Advocate for the Applicant.
Shri G. O. Wattamwar, A.P.P. for the Respondent.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 24TH MARCH, 2026.**

FINAL ORDER :

. Heard both sides. Applicant is seeking bail in furtherance of offence bearing No. 257/2021 registered with Mohadi Nagar Police Station, Dist. Dhule for the offences punishable U/Sec. 8(C), 21(C) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Applicant – accused is found with quantity of 500 g of brown sugar. He was arrested on 10.10.2021. Charge sheet is filed on 31.12.2021. On the basis of long incarceration and the observations of the Hon'ble Apex Court vide order dated 20.11.2024 applicant seeks enlargement on bail. It is further

submitted by the learned counsel Mr. Chaitanya Deshpande that delay is attributable to the prosecution witnesses and the investigating officer. Bailable warrant was required to be issued to the witness. There is confusion regarding destruction of part of muddemal. The lapses are attributable to the respondent – prosecution.

3. Learned Assistant Public Prosecutor submits that there are successive attempts on the part of the applicant for releasing on bail. It is submitted that the correctional measures have already been taken so as to proceed with trial expeditiously. It is further submitted that there are antecedents against the applicant and he is not entitled to be released on bail.

4. In the case at hand, I am of the considered view that the applicant shall not be entitled to be enlarged on bail on the ground of long incarceration. He is unsuccessful in securing bail on 13.04.2022, 29.08.2023, 10.05.2024 and 20.11.2024. The orders are annexed to the paper book. Hon'ble Apex Court while rejecting his application on last occasion made the observations for granting liberty to request for bail for change in circumstances or the protraction of the trial and due to the reasons not attributable to him.

5. Considering allegations against the applicant and his antecedent, I am not inclined to allow the application on merits. The solemn statement made by the learned A. P. P. for

expeditious disposal of the trial can be accepted as the correctional measures have already been taken and muddemal is with the Trial Court. There is no reason to infer that trial would be protracted any further.

6. It is urged that only two out of thirty witnesses have been examined and it would take long time to conclude the trial. Once the court is disinclined to grant relief on merits, it is immaterial as to how many witnesses would be examined in the matter.

7. For the reasons stated above, bail application is rejected.

[SHAILESH P. BRAHME J.]

bsb/March 26