2026:BHC-KOL:10843



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

**BAIL APPLICATION NO. 899 OF 2026**

Gaurav @ Fantya Dilip Doshi,
Age : 42 Years, Occu. : Labour,
R/o Gujar Galli, Karmala,
Tq. Karmala, Dist. Solapur. .. Applicant

**Versus**

The State of Maharashtra and another .. Respondents

Shri Omkar Tole, Advocate a/w Shri Jivan Jadhav, Advocate for the Applicant.
Shri K. V. Saste, A.P.P. for the Respondent Nos. 1 and 2.
Shri Sandip Bankar, P.S.I, Karmala Police Station.

**CORAM : SHAILESH P. BRAHME, J.**
**DATE : 30TH OCTOBER, 2026.**

**FINAL ORDER :**

. Heard both sides.

2. The applicant is seeking bail in respect of offence bearing Crime No. 540/2026, registered with Karmala Police Station, District Solapur, for the offences punishable under Sections 20(b), 8(c), 20(b)(ii)(b) of the Narcotic Drugs and Psychotropic Substances Act (for short 'N.D.P.S. Act').

3. The applicant is arrested on 07.06.2026. The charge sheet is filed on 04.08.2026.

4. It is alleged in the first information report lodged against the applicant that on the basis of secret information a trap was conducted and a vehicle was intercepted. The applicant was found with 10.248 Kg of ganja and thereafter the law is set in to motion.

5. Learned counsel for the applicant submits that there are no antecedents against the applicant. The contraband found is less than commercial quantity. Hence bar U/Sec. 37 of the N.D.P.S. Act is not attracted. It is further submitted that inventory discloses that the contraband recovered from the applicant is not covered by Sec. 2(iii)(b)(c) of the N.D.P.S. Act.

6. Learned A. P. P. opposes the submission. My attention is adverted to the relevant papers to show involvement of the applicant. The applicant is involved in the serious offence.

7. I have gone through the first information report and the relevant papers. The applicant is found with 10.248 Kg of ganja, which is less than commercial quantity. The commercial quantity is 20 Kg.

8. I have also gone through the inventory. The contraband seized from the applicant refers to green leaves and seeds having bitter smell. The learned counsel for the applicant is justified in contending that the contraband recovered from the applicant is

not ganja within the meaning of Sec. 2(iii)(b)(c) of the N.D.P.S. Act.

9. The applicant has rightly referred to the settled legal position by referring to orders passed by the Co-ordinate Benches dated 21.11.2025 in Bail Application No. 3989 of 2025 (Unkarram Jhunjarram Devasi Vs. The State of Maharashtra), dated 13.07.2026 in Criminal Bail Application No. 1840 of 2026 (Salim Adam Shaikh Vs. The State of Maharashtra) and dated 09.02.2026 in Criminal Bail Application No. 1976 of 2025 (Sapan Benit Bir Vs. State of Maharashtra).

10. The applicant deserves liberty. I, therefore, pass the following order :

**O R D E R**

(i) Bail Application is allowed.

(ii) Applicant - Gaurav @ Fantya Dilip Doshi shall be released on bail in Crime No. 540/2026, registered with Karmala Police Station, District Solapur, for the offences punishable under Sections 20(b), 8(c), 20(b)(ii)(b) of the Narcotic Drugs and Psychotropic Substances Act on furnishing P. R. bond in sum of Rs. 30,000/- (Rs. Thirty thousands only) with one or more solvent sureties of like amount on the following conditions :

(a) The applicant shall not tamper with the prosecution evidence and contact the prosecution witnesses.

(b) The applicant shall furnish contact number of himself or his close relative / friend to the Investigating Officer.

(c) The applicant shall surrender his Aadhar Card and PAN Card to the Investigating Officer, if any.

(d) The applicant shall co-operate for expeditious disposal of the trial and attend the dates punctually.

(iii) Bail application is disposed of accordingly.

**[ SHAILESH P. BRAHME J. ]**

*bsb / Oct. 26*