

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA)1424/2025

(Sagar S/o Kawadu Bawane Vs. State of Maharashtra)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. C. Jaltare, Advocate for applicant.
Mr. A. R. Chutke, APP for non-applicant/State.

CORAM: M. M. NERLIKAR, J.

DATED : 13/01/2026.

Heard.

2. The applicant by the present application seeks regular bail in connection with the Crime No.411/2025 registered with Police Station Gadchiroli, Dist. Gadchiroli for the offence punishable under Sections 8(c), 20(b)(ii) (A) of the Narcotic Drugs and Psychotropic Substances Act, 1985 ("NDPS Act").

3. The allegations in the First Information Report is that in connection with one another crime i.e. Crime No.408/2025 for the offence punishable under Section 118(1) of the Bhartiya Nyaya Sanhita, 2023, the informant therein made allegations that the informant was beaten by iron rod, fist and blows by the accused therein namely Yash. Yash thereafter admitted that he was under influence of 'Ganja' due to which he has beaten the informant. Upon inquiry as to where he obtained 'Ganja', he has taken the name of the present applicant. On the same day, the applicant was apprehended and contraband

weighing 0.552 gm was found in the storage bag of his motorcycle worth Rs.13,800/-. Further, 75 gm 'Ganja' found at the house of the present applicant.

4. The learned counsel for the applicant submits that the petitioner was implicated for the offence punishable under Sections 8(c) and 20(b)(ii)(A) of the NDPS Act. The maximum punishment provided under Section 20(b)(ii)(A) of the NDPS Act is one year. The applicant was arrested on 16.06.2025 and till today the charges are not framed therefore, he requested to grant bail as he has undergone half of the punishment.

5. On the other hand, the learned APP by relying on the criminal antecedents of the applicant prays that the application may not be considered for grant of regular bail as even at earlier point of time, he has committed the offence under the provisions of the NDPS Act. The applicant is a habitual offender and three crimes have been registered against him.

6. Upon consideration of rival submissions, it appears that small quantity of 'Ganja' was found with the present applicant. He was arrested on 16.06.2025. The maximum punishment provided under Section 20(b)(ii)(A) of the NDPS Act is one year. No doubt, there is one similar offence under the provisions of NDPS Act registered against the applicant, however in that case he has been granted bail. Considering the sentence provided under Section 20(b)(ii)(A) of the NDPS Act and the applicant is

in Jail since 16.06.2025 and has already undergone half of the the punishment, this Court is inclined to grant bail, hence following order:-

ORDER

- (i) Criminal application is allowed and disposed of.
- (ii) The applicant/accused Sagar S/o Kawadu Bawane be released on regular bail in connection with Crime No.411/2025 registered with Police Station Gadchiroli, Dist. Gadchiroli for the offence punishable under Sections 8(c), 20(b)(ii)(A) of the 1985 NDPS Act on his furnishing P.R. Bond of Rs. 25,000/- with one surety in the like amount.
- (iii) If the applicant commits similar type of offence in future, in that case prosecution is at liberty to apply for cancellation of bail before the Trial Court.
- (iv) The applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (v) The applicant/accused shall provide his residential address and cell number to concerned Police Station and shall not change his place of residence without prior intimation to the concerned Investigating Officer.
- (vi) The applicant/accused shall attend each and every date of trial regularly. If he fails to attend the trial for two consecutive dates or fails to comply with the aforesaid conditions, his default would entail the State to

ask for cancellation of bail.

(M. M. NERLIKAR, J.)

Gohane