



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

CRIMINAL APPLICATION (ABA) NO. 940 OF 2025

Sameer Shah S/o. Yusuf Shah

Vs.

State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri H. A. Birha, Advocate for applicant.
Ms. D. V. Sapkal, APP for non-applicant/State

CORAM :- M. W. CHANDWANI, J.

DATED :- 16.01.2026

Heard.

2. The applicant seeks extra-ordinary relief of grant of anticipatory bail in connection with Crime No. 262/2025 for the offences punishable under Sections 20(b)(ii) and 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered with Akot File Police Station, District Akola.

3. The prosecution case is that on receiving secret information, the Police conducted raid and found three persons near the Old Railway Quarter. Two persons were apprehended and one person fled away from the spot. The Police seized contraband "Ganja" weighing 10.388 Kgs. from those two persons apart from one Pulsar motorcycle.

4. It was revealed that the applicant had been there to purchase “Ganja” riding the said Pulsar motorcycle which was seized in the raid. Therefore, aforesaid offences came to be registered against the applicant and other co-accused.

5. The contention of the learned counsel for the applicant is that the applicant has nothing to do with the offence. The seized Pulsar motorcycle is not registered in the name of the applicant with the Regional Transport Office (RTO). According to him, just because the co-accused has taken the name of the applicant, that cannot be treated as evidence against the applicant. There is no material against the applicant and therefore, he prayed for grant of anticipatory bail.

6. The learned APP objected the application on the ground that the Pulsar motorcycle is registered in the name of the brother of the applicant. There are criminal antecedents and similar offences are also registered against the applicant.

7. Having heard the learned counsel for the applicant and learned APP and having gone through the case-diary, it is revealed that the raid was conducted and two persons came to be arrested. More than 10 Kgs of contraband “Ganja” was seized from the co-accused. The Pulsar motorcycle which is registered in the name of brother of the applicant also came be seized. That apart,

other co-accused have also named the applicant as the purchaser of the said “Ganja”.

8. Considering the fact that the Pulsar motorcycle registered in the name of brother of the applicant was found on the spot as well as the fact that similar offences are registered against the applicant, I am of the view that no case is made out for grant of anticipatory bail.

9. Hence, the application is rejected.

(M. W. CHANDWANI, J.)