



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

CRIMINAL APPLICATION [B.A.] NO. 60 OF 2026

Shri Anil S/o Hiralal Waskale

-- VERSUS --

The 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. Raju Kadu, Advocate for the Applicant.

Mr. A.G. Mate, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : FEBRUARY 12, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.627/2024 for the offence punishable under Sections 20 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered with Police Station Jalgaon (Jamod), District Buldhana.

3. As per the prosecution case, on receipt of credible secret information, the police conducted a raid at agricultural land situated in forest compartment No.633 at Bhingara Shivar, Taluka Jalgaon Jamod. The land was stated to be in possession of accused Hiralal Waskale and his son Anil Hiralal Waskale. After informing superior officers and following the prescribed procedure, a raiding

party proceeded to the spot. At the site, accused Hiralal was found present. Upon search of the field, the police allegedly noticed large-scale cultivation of cannabis plants grown among standing crops. On the next day, the plants were uprooted and weighed in the presence of officials and panch witnesses. The total weight of the seized cannabis plants was stated to be approximately 4500 kilograms. Additionally, about 5 kilograms of dried ganja was allegedly recovered from a hut situated in the field.

4. The learned counsel appearing for the applicant submits that the applicant has nothing to do with the land. The owner of the said land, where the ganja was cultivated belongs to his father. The present applicant is residing separately, and therefore, the present applicant does not have any nexus with the alleged cultivation of ganja. He further submits that even in the charge-sheet there is nothing to show that the present applicant is in any way concerned with the said land, wherein ganja was cultivated. He further submits that his father, who is accused No.1, has been granted bail by the trial Court, and therefore, considering the fact that there is no material placed on record in the charge-sheet, the applicant deserves to be enlarged on bail.

5. On the other hand, the learned A.P.P. has invited my attention to one statement of Sadik

Ramjan Suratane, wherein he has disclosed that the accused No.1 during interrogation has disclosed that the present applicant and the accused No.1 have cultivated ganja on the said land. He further submits that considering the seriousness of the offence and the fact that in 2 acres of land, ganja was cultivated, the applicant does not deserve to be enlarged on bail.

6. I have heard the learned counsel for the applicant as well as the learned A.P.P, admittedly, the owner of the land is the father of the present applicant. In the entire charge-sheet, it is not pointed out that the applicant is also cultivating the said land along with his father. It could be further gathered that the present applicant is residing separately, as the applicant has placed on record the copy of ration card. It is further to be noted that the trial Court has granted bail to the father of the present applicant. In this view of the matter, I am also inclined to grant bail on imposing stringent conditions. Hence, the following order:-

ORDER

- (i) The Criminal Application is **allowed;**
- (ii) The applicant/accused (Shri Anil S/o Hiralal Waskale) be released on regular bail

in connection with Crime No.627/2024 registered with Police Station Jalgaon Jamod, District Buldhana, for the offence punishable under Sections 20 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, on his furnishing a P.R. bond of Rs.25,000/- (Twenty Five Thousand Rupees) with two solvent sureties in the like amount;

(iii) The 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;

(iv) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency;

(v) The 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 or even trial Court *suo moto* take cognizance of this and cancel the bail;

(vi) Pending Misc. Application(s), if any, also stand disposed of.

7. The observations of this Court are *prima facie* in nature. The Trial Court shall not be influenced by the observations of this Court and the observations are restricted to this bail application only.

[M.M. NERLIKAR, J]

PIYUSH MAHAJAN