

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

CRIMINAL APPLICATION (BA) NO. 403/2026

(Jatin S/o Jagmohandas Doshi 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. S. V. Sirpurkar, Advocate for applicant.
Ms. S. Haider, APP for non-applicant/State.

CORAM: M. M. NERLIKAR, J.

DATED : 05/05/2026.

Heard.

2. By this application, the applicant is seeking bail in connection with Crime No.532/2024 registered with Police Station Barshitakli, Dist. Akola for the offences punishable under Sections 22(c), 25, 29, 8(c) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 read with Section 318(4), 336(3), 338, 34(2), 238 of the Bharatiya Nayaya Sanhita and Section 135 of the Indian Electricity Act.

3. It was brought to my notice that the earlier bail application of the applicant that is Criminal Application No.1150/2024 was allowed by this Court by its order dated 18/12/2024. However, that order was challenged before the Supreme Court by filing Criminal Appeal

No. 4614/2025 by the State of Maharashtra, which was allowed and the bail granted to the applicant was cancelled by observing in para 4 which as under:-

“4. A perusal of the material placed on record shows that the role of the respondent has been specifically mentioned in the order dated 22nd November, 2024 passed by the Special Judge (NDPS), Akola, Maharashtra while rejecting his bail application and also in the charge-sheet filed.”

4. The learned counsel for the applicant submits that the Supreme Court has allowed the application of the State only on the ground that the applicant was merely in custody for 56 days. However, now almost 240 days are over since his custody, therefore he has filed the application before the Trial Court, for grant of bail which was rejected and accordingly he has preferred the present application.

5. On the other hand, the learned APP opposes the application and submitted that once the Supreme Court has considered the matter on merits and has rendered a decision then the applicant is not entitled for bail on merits as there is no change in circumstances and therefore,

prayed to reject the bail application.

6. I have considered the rival submissions. The Supreme Court by its order dated 27/10/2025 has allowed the appeal filed by the State of Maharashtra, thereby cancelling the bail of the applicant. It appears from the order that the Supreme Court has not only considered the material placed on record, but also considered role of the applicant as the charge-sheet was filed. Therefore, sum and substance is that after considering the merits of the case and role of the applicant, the Supreme Court allowed the appeal filed by the State of Maharashtra and cancelled the bail granted to the applicant. Under such circumstances, in my opinion when the Supreme Court has already considered the matter on merits unless there is change in circumstance, I am not inclined to grant bail. Hence the application is rejected.

(M. M. NERLIKAR, J.)