



In The Court of Judge Special Court NDPS Act, Nagpur.

Presided over by
Shri. M. S. Ganorkar.

Cri. Bail Application No.1384 Of 2026

CNR No: MHNG010060782026.

Crime No.254 of 2026, P. S. MIDC.

Dipesh S/o Devidas Bohare.
V/s
State of Maharashtra.
(Through P.S. MIDC.)

Order below Exh.1
(Date:29th July 2026)

1. This is an application for issuance of directions as applicant/accused be released on bail, U/Section 483 of the Bhartiya Nagarik Suraksha Sanhita. Applicant/accused booked in Crime No.254 of 2026, for the offences punishable U/Sections 8(c), 22(b), 22(c) and 29 of the NDPS Act.
2. Perused the application along with documents annexed here with and say/report of Investigating Officer/APP. Heard both the sides at length.
3. In the light of this facts emerged, submissions by the parties and material on the record, the following points arise for determination before this Court. The said points and the findings thereon which follow the reasons as:

Point For Determination.

Sr. No.	Point	Finding
1.	Whether the applicant/accused made out the case as to issuance of direction as to be released on bail, in the given set of facts?	...Yes.
2.	What order?	...Application Allowed as per final order.

REASONS***As to the point no.1:***

4. It is case of the applicant that he has filed application for grant of bail. He has been falsely implicated in this crime and he is arrested by police on 24/04/2026 and since then he is in jail. It is alleged that on 24/04/2026 officers attached to Detection Branch, Unit No.6, Nagpur City allegedly conducted a combing operation in the MIDC and Ranapratap Nagar area. The police noticed near Badge Layout, beside Gandhi Dental Clinic, Jaitala, the present accused persons standing near vehicle and allegedly engaging in exchange of some articles. During personal search of applicant No.1, 12 LSD paper strips weighing approximately 0.120 gms were recovered and from applicant No.2, 05 LSD paper strips weighing approached 0.050 gms were recovered. The total contraband is shown as 17 LSD dots/strips weighing 0.170 gms, mobiles and vehicles were seized by police in presence of panch, prepared panchnama, arrested the accused and thereafter, registered the offence under the NDPS Act.
5. The applicant submitted that he is student and he has been falsely implicated in the present crime. He is innocent. The alleged contraband seized from the accused is intermediate quantity. If the

applicant released on bail, he is ready to abide by all conditions as imposed by the Court. Hence, prayed for grant of bail.

6. The Investigating officer opposed the application on the ground that the offence is serious and contraband seized from the accused is LSD weighing 0.170 gms used for selling purpose. If the applicant is released on bail, he will tamper the evidence and witnesses. Hence, prayed for rejection of the application.
7. Learned Counsel for the applicant submitted that the applicant is student pursuing Master of Computer Application (MCA) at G. H. Rasoni College. The applicant is innocent. The applicant had not kept contraband for his personal use. The applicant has been falsely implicated in the present crime. The contraband is recovered. The applicant is in jail since 24/04/2026. Applicant is young man taking education. If he is kept behind bar till conclusion of trial his career will be spoiled. It is his first offence and opportunity is to be given to him to continue his education. If he fails to attend college he will not be allowed to appear for examination. Considering his future he may be released on bail. The applicant is ready to abide by all conditions if released on bail. He prayed for grant of bail.
8. Learned Counsel for the applicant relied upon the authority in case of ***Chetan Deepak Patil....vs...State of Maharashtra, Cri.Bail Appln. No.1488 of 2024, BHC-AS : 17526***. He further relied upon the authority in case of ***Mohammad Yaqob Beigh....vs....Union Territory, Bail Appln. No.13 of 2026 c/w CRM(M) 640 of 2025***.
9. Learned APP opposed the application stating that the applicant was found in possession of the contraband for commercial purpose. He was intending to sell LSD to other students. The quantity of

contraband is commercial quantity, therefore, bar of Section 37 of the NDPS Act is applicable. If the applicant is released on bail, he may tamper with the evidence and will similar offence such possibility cannot be ruled out. He prayed for rejection of the application.

10. I perused say of the police and charge-sheet. The contraband is from both the accused is more than commercial quantity. They were arrested together. In such circumstances the quantity of LSD seized is to be taken as commercial quantity. Applicant is a student. He is in custody since 24/04/2026 i.e. for more than three months. The investigation with them is over. There is no other offence under NDPS Act against the applicant. He is 26 years of age and taking college education. He is not habitual offender. If he is kept behind bar till conclusion of the trial his education will stop and his career will be spoiled. In case he is acquitted in this case still he will have to face the rigors of stoppage of education. Considering the law laid down by Hon'ble Supreme Court it is necessary to see that due to long incarceration a young man should not spoil his academic career. Considering that it is the first offence of the applicant he is to be enlarged on bail considering his future. Stringent conditions can be imposed to see that he should not repeat such offence in future. Hence, proceed to pass following order.

ORDER

1. Application is allowed.
2. Applicant/accused ***Dipesh S/o Devidas Bohare***, be released on bail, on executing Personal Recognition for bond of Rs.50,000/- (Rupees Fifty Thousand only) with surety in the like amount, in Crime Register No.254 of 2026 of MIDC *Police Station*, for the offence punishable U/Section 8(c), 22(b), 22(c) and 29 of the

NDPS Act, subject to following conditions :-

1. *The applicant shall not tamper with the evidence and the witnesses, in any manner. Further, the applicant is directed shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.*
2. *The applicant shall not commit the similar offence of which he is charged.*
3. *The applicant shall attend police station on first and third Sunday of every month between 5.00 pm to 6.00 pm till conclusion of trial.*
4. *Applicant is further directed as to submit complete address proof of his own and as well as two those persons who are related to him.*
5. *Applicant/accused shall remain present on each date of proceeding or as and when called.*

Dictated and pronounced in open Court.

Date : 29th July 2026.

(Manish S. Ganorkar)
Judge Special Court NDPS Act,
Nagpur.