

**IN THE COURT OF THE ADDITIONAL DISTRICT AND SESSIONS  
JUDGE, GADAG**

Dated this 06<sup>th</sup> day of August, 2026

**PRESENT:**

**Ms. GEETA SHINDHE,**

B.A. LL.B(Hons), LL.M.

Addl. District and Sessions Judge, Gadag

**Spl.C.(NDPS) Cr. No.70/2026**

**Complainant:** The State by Gadag Railway P.S.

**(By Learned Special Public Prosecutor)**

**Vs.**

**Accused :** Nohan S/o Paya Mandal,  
Age : 22 years, Occ: Labourer,  
R/o Rajan Sahi, Post: Adava,  
Dist: Gajapati, State: Orisa.

**(By Sri. C.R.Devangamath. Advocate)**

**ORDERS**

The Accused has filed this regular bail application U/s.483 of the Bharatiya Nagarik Suraksha Sanhita (hereinafter referred to as the 'BNSS'), seeking to release him on regular bail in Crime No.02/2026 in Gadag Railway Police Station registered for the offences punishable U/Sec.27(b)(ii)(B) of NDPS Act, 1985.

2. Accused has approached this court on the ground that he has not committed any offences as mentioned in the first informant. Material on the records do not disclose the complicity of the accused in the commission of the alleged offences. He has been falsely





implicated in this case. He hails from respectable family and has got strong roots in the society. The committal proceedings and consequent trial may take long time. Accused have movable and immovable properties in his native. Continuation of detention of the accused in jail amidst convicts and criminals will adversely reflect on his mental and physical health. He undertakes to furnish adequate, acceptable surety to ensure his participation in the case till it is concluded. He undertakes to attend before the court and the court as and when this court order. Alleged offences not bailable in nature and are not punishable with death penalty. Hence, prayed to allow the application.

3. Per contra learned special public prosecutor has filed his objection, reiterated the facts mentioned in the first information. It is stated that on 01.02.2026 at 10.00a.m.the accused was found in possession of 4kg 106 grams of ganja, while attempting to transfer ganja at railway at the end of the Plat Form No.1. Charge sheet is filed wherein all the witnesses concerning have given their statement. Learned public prosecutor has specifically objected the bail petition of the accused on the ground that in the event releasing accused on bail he may abscond and may not appear before the court. Charge sheet should be considered as objection of the learned public prosecutor. There are sufficient materials to show that accused has committed the offences mentioned in the charge sheet. Accused is a cruel person in nature. There is every chance





of he may commit similar offences and abscond from the jurisdiction. Hence prayed to dismiss the bail application filed by the accused.

4. Heard the arguments of the learned counsel for the accused and the learned Special Public Prosecutor.

5. The points that arise for the Court's consideration are as follows:

(1) Whether the accused is entitled to bail in this crime in Gadag Railway Police Station registered for the offences punishable U/Sec.2(b)(ii)(B) of NDPS Act, 1985?

(2) What order?

6. The findings of this Court on the above points are as follows:

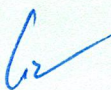
Point No.1 : Affirmative

Point No.2 : As per final order, for the following:

### **REASONS**

7. **Point No.1**: It is the case of the first informant that on 01.02.2026 at 10.40 am accused found standing at the end of Plat Form No.1 at Hubballi side, on conducting raid it was found that accused was have in total 4 k.g. 106 grams of the Ganja valued 2 lakhs of the rupees in his bag, which is kept in 2 bundles on enquiry with the accused it was found that he was transporting said ganja with intention to sell. Therefore charge sheet was filed against accused person.

8. The learned counsel for the accused has argued stating that accused has been implicated in this case by





making false allegations. Accused is innocent, he has not committed any offences.

9. Learned Public prosecutors submitted that accused belongs to Orissa state. He does not have local address. If he released on bail there is every chance of absconding from the jurisdiction of this court. Hence, bail should be dismissed.

10. I have perused the records of the case and bail application and objections filed. The records indicate that there is a seizure of 4 kg 106 grams of ganja from the accused inventory is conducted. He was caught while transporting the said ganja. Samples are sent to FSL for examination. FSL report was received that confines that samples are having constitutes of Ganja. Accused is arrested on 01.02.2026. Since then accused is in judicial custody.

11. I have perused the first information, records submitted, the quantity of the ganja alleged to be seized from the accused is about 4.106 grams which is an intermediate quantity. Chargesheet is filed, charges are framed. The case is now at the stage of trial.

12. The accused is the permanent resident Orissa State, the prosecution has not specifically disputed the residence of Accused. Further prosecution has not produced any material to show criminal antecedents of the Accused. Considering the age of the accused and severity of the offences charged, in the Court's opinion, stringent





conditions may be imposed upon the accused to safeguard the interests of the prosecution and ensure his presence before this Court. Therefore, for the foregoing reasons, **this Court has answered Point No.1 in the affirmative.**

14. **Point No.2:** In view of the above discussions, this Court proceeds to pass the following:

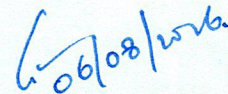
**ORDER**

The bail application filed by Accused under Section 483 of the BNSS is hereby allowed and he is enlarged on bail subject to following:

**CONDITIONS**

1. Accused shall execute a personal bond for Rs.1,00,000/- and two sureties for the like sum;
2. The Accused shall give his address proof of the place where he continuously reside.
3. Accused shall appear before the court on all hearing dates;
4. Accused shall not leave India without prior permission of this court.
5. Accused shall not threaten the prosecution witnesses or tamper with the prosecution evidence in any manner;
6. Accused shall not indulge in any criminal activities in-future similar in nature.

(Dictated to the Stenographer, transcription thereof computerized by her, corrected, and then pronounced by me in open Court on this **06<sup>th</sup> day of August, 2026**)



(Geeta Shindhe),  
Addl. District & Sessions Judge,  
Gadag.



