



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

Presided over by
Shri. M. S. Ganorkar.

Cri. Bail Application No.584 Of 2026.

CNR No: MHNG010029152026.

Crime No.89 of 2026, P. S. Yashodhara Nagar,
Nagpur City.

Sheikh Adil S/o Sheikh Karim

V/s

State of Maharashtra.
(Through P.S. Yashodhara Nagar, Nagpur City.)

Order below Exh.1
(Date: 11th March 2026)

1. This is an application for issuance of directions as applicant/accused be released on bail, U/Section 483(1) of the Bhartiya Nagarik Suraksha Sanhita. Applicant/accused booked in Crime No.89 of 2026, for the offences punishable U/Sections 8(c), 20(b), (ii)(b) 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. The applicant came with case that he has been arrested by police on 07/02/2026 and since then he is in judicial custody. The applicant had been falsely implicated in this case. It is alleged that on 07/02/2026 police officials were performing in search of drug paddlers. It is alleged that the police officials while moving within the local limits of P.S. Yashodhara Nagar Near Bismillah Masjid found one Auto Rickshaw was going in high speed near Railway crossing. The police officials gave a signal to the auto driver. The said auto was stopped and searched. It is alleged that during search of said auto rickshaw 4.129 Kg. Ganja was seized in presence of panch witnesses and prepared seizure memo and thereafter registered the offence under the NDPS Act.
5. The applicant that he has been falsely implicated in this crime. The alleged quantity seized from his is 4.129 Kilogram Ganja is an intermediate quantity. He further submitted that he earlier applied for regular bail which was rejected by the Court. The substantial

investigation is completed, charge-sheet is filed and his custodial interrogation is not necessary. If he released on bail, he is ready to abide by all conditions and will not tamper the evidence and witnesses. Hence, prayed that application be allowed.

6. The Investigating officer filed his say and submitted that the offence is serious and if the applicant released on bail he will tamper the evidence and witnesses. The contraband Ganja seized from the accused is 4.129 Kilogram. Hence, prayed that application be rejected.
7. Learned Counsel for the applicant that the alleged quantity seized from the possession of applicant accused is an intermediate quantity i.e. 4.129 Kilogram Ganja. He further submitted that the applicant applied for regular bail which was rejected by the Court. Now the charge-sheet is filed and changed in circumstances this bail application filed before the Court. He further submitted that rigor of Section 37 of the NDPS Act is not applicable. The substantial investigation is completed and custodial interrogation is not necessary of the applicant accused. If the applicant released on bail he is ready to abide by all conditions and will not tamper with the evidence and witnesses. Hence, prayed that application be allowed.
8. Learned APP opposed by the application on the ground that the offence is serious. These three accused persons were found at the spot and therefore, the application deserves to be rejected.
9. In this backdrop on going through the FIR it appears that incident is of dated 07/02/2026 and while patrolling accused was found in suspicious manner. As such they have been intercepted and interrogated and after following due procedure as mandatory of the

NDPS Act search have been made. From the possession of applicant/accused 4.129 Kg. Ganja, Auto Rickshaw and mobile phone was seized.

10. Since, it is case of intermediate quantity, the substantial investigation is completed and charge-sheet is filed therefore, rigor of Section 37 of the NDPS Act is not applicable. No purpose would be served by keeping the accused in custody for indefinite period and the said application filed by the applicant in changed in circumstance. Therefore, the applicant is entitled for bail. Hence, application deserves to be allowed. Consequently, proceed to pass following order.

ORDER

1. Application is allowed.
2. Applicant/accused ***Sheikh Adil S/o Sheikh Karim***, 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.89 of 2026 of *Yashodhara Nagar Police Station, Nagpur City* for the offence punishable U/Section 8(c), 20(b), (ii) (b) 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 make available himself to the investigating officer as and when called and every Second Monday at 11.00*

am to 1.00 pm till filing of the charge sheet or next two months, which ever is earlier.

4. *Applicant is further directed as to submit complete address proof and mobile number 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 : 11th March 2026.

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