



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

Presided over by
Shri. M. S. Ganorkar.

Cri. Bail Application No.595 Of 2026

CNR No: MHNG010029532026.

Crime No.12 of 2026, P. S. Mankapur.

State of Maharashtra.
(Through P.S. Mankarpur)

V/s
Jatin Madan Khillo.

Order below Exh.1
(Date: 22nd April 2026)

1. This is an application for issuance of directions as applicants/accused be released on bail , U/Section 483 of the Bhartiya Nagarik Suraksha Sanhita. Applicants/accused booked in Crime No.12 of 2026, for the offences punishable U/Sections 8(c), 20(b)(ii)(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 applicants/accused made out the case as to issuance of direction as to be released on bail, in the given set of facts?	...No.
2.	What order?	...Application Rejected as per final order.

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

4. It is case of the applicant that he has been falsely implicated in the said crime and since 08/01/2025 is in jail. It is alleged that on 07/01/2026 at about 22.00 hours to 08/01/2026 at 10.00 hours while informant was on patrolling duty with police staff they found on car bearing No.HR-29-AZ-4166 standing suspiciously on main road, Near Nupur Wine Shop at Faras Chow. Three persons were inside the car. When informant approached them and asked reason for stopping the car there at that time one of them ran away. Police taken three persons and took search of vehicle found tin sheet containing 29 Kg 100 gms Ganja seized by the police in presence of panch, arrested accused, prepared panchnama and thereafter, registered the offence under NDPS Act.
5. The applicant further submitted that nothing is to be seized from the possession of applicant. During investigation the police seized the contraband Ganja 29 Kg 100 gms from the accused and on the basis of seizure the present applicant made an accused in this crime. The applicant accused is not involved in any criminal activity and no criminal antecedents. The applicant is ready to abide by all condition if released on bail. Hence, prayed that application be allowed.

6. The Investigating officer opposed the application on the ground that the offence is serious and the investigating is not completed and the role present applicant is shown in this crime. If the applicant released on bail, he will tamper with the evidence and witnesses. The contraband Ganja seized from the applicant is used for commercial purpose. Hence, prayed that the application be rejected.
7. Learned Counsel for applicant submitted that nothing has been seized from the possession of applicant. The applicant had no knowledge or intention the alleged illegal activity involving the transport of contraband substances. There is no directly support the contention of the prosecution. Learned Counsel submitted that there is no business of selling of contraband between applicant and accused who was found in possession of Ganja. Hence, prayed for grant of bail.
8. Learned APP argued that the applicant has used the vehicle for bringing the contraband Ganja for business and the applicant was having knowledge in regard to sell the contraband and carrying in the vehicle. The applicant is carrying the contraband along with other accused for selling. There is sufficient evidence to bring the case of applicant under Section 37 of the NDPS Act. Hence, he prayed for rejection of the application.
9. I perused the say of the police and FIR. It appears that when police approached the accused persons one of them i.e. the present applicant ran away from the spot of incident. Police seized the contraband 29 Kg 100 gms Ganja from the vehicle of the accused persons and arrested the another accused. Therefore, there is prima facie case shows under bar of Section 37 of the NDPS Act. The investigation is under progress. In such circumstances the involvement of applicant in commission of crime is prima facie

established. The quantity of Ganja seized is more than commercial quantity and bar of Section 37 of the NDPS Act is applicable to this case. The Ganja was transported in that Bolero Vehicle. In such circumstances it is clear that accused had knowledge about the carrying the contraband in the vehicle. The quantity of Ganja is commercial quantity and bar of Section 37 of the NDPS Act is applicable. Hence, applicant is not entitled for bail and application deserves to be rejected. So I proceed to pass following order.

ORDER

1. Application is hereby rejected.

Dictated and pronounced in open Court.

Date : 22nd April 2026.

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