



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

Presided over by
Shri. M. S. Ganorkar.

Cri. Bail Application No.712 Of 2026

CNR No: MHNG010035442026.

Crime No.66 of 2026, P. S. Imamwada.

Abhishekh @ Yugal S/o Banduji Channore.
V/s
State of Maharashtra.
(Through P.S. Imamwada.)

Order below Exh.1
(Date: 2nd April 2026)

1. This is an application for issuance of directions as applicant/accused be released on bail in the event of his arrest as anticipatory bail, U/Section 482 of the Bhartiya Nagarik Suraksha Sanhita. Applicant/accused booked in Crime No.66 of 2026, for the offences punishable U/Sections 8(c), 202(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 event of his arrest as anticipatory 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 anticipatory bail because he will be apprehending arrest by Imamwada police. It is alleged that on 22/02/2026 PSI Rajendra Taklikar while on patrolling along with staff, he received secret information that one person Vdanshu Turupkar sitting on a metallic blue Activa vehicle by the side of road. Therefore, police went on spot at that time one person found in suspicious manner and might be carrying narcotic drugs. Therefore, police took search found 2.43 gms MD seized by the police in presence of panch, arrested the accused, prepared seizure panchnama and thereafter, registered the offence under the NDPS Act.
5. The applicant submitted that he has been falsely implicated on the statement of co-accused. The alleged contraband 2.43 gms MD seized from the accused is below the commercial quantity. Nothing is to be seized from the possession of the applicant. As such rigor of Section 37 of the NDPS Act is not applicable. If the applicant released on anticipatory bail, he is ready to abide by all conditions as imposed by the Court. Hence, prayed for grant of anticipatory bail.

6. The Investigating officer opposed the application on the ground that the offence is serious and contraband seized from the accused is 2.43 gms MD used for selling purpose and the applicant is assisting to him. If the applicant is released on anticipatory bail, he will tamper the evidence and witnesses. Hence, prayed for rejection of the application.
7. Learned Counsel for the applicant submitted that the contraband seized from the possession of accused is below the commercial quantity and the applicant is innocent. Nothing is to be seized from the applicant. He is ready to abide by all condition if released on anticipatory bail. He prayed for grant of anticipatory bail.
8. Learned APP opposed the application stating that the applicant is habitual offender and the offence is serious. The contraband seized from the accused is used for commercial purpose. 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.
9. I perused the say of the police. Applicant was not found in possession of the contraband. There is no evidence such as CDR of applicant showing frequent contact with the accused. No criminal antecedents against the applicant and no hardcore criminal this fact does not lead to draw inference that he is habitual offender and he is dealing with contraband. In such circumstances in my view custody of applicant for further investigation is not necessary. The contraband seized from the possession of other accused is 2.43 gms MD which is below the commercial quantity. Hence, bar of Section 37 is not applicable to this case. So on imposing suitable conditions anticipatory bail can be granted to the applicant. Hence, proceed to pass following order.

ORDER

1. Application is allowed.
2. In the even of arrest applicant/accused ***Abhishekh @ Yugal s/o Banduji Channore***, 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.66 of 2026 of Imamwada *Police Station*, for the offence punishable U/Section 8(c), 22(c) and 29 of the NDPS Act, subject to following conditions :-

1. *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 his 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 or every Tuesday and Friday at 11.00 am to 1.00 pm till filing of the charge sheet or next 60 days, whichever is earlier.*
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 his to the investigation officer.*
5. *Further, the applicant is directed as breach or violation of any of the condition, shall be the ground for cancellation of bail.*

Dictated and pronounced in open Court.

Date : 2nd April 2026.

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