

In the Court of Judge Special Court NDPS Act, Nagpur.
Presided over by
M. S. Ganorkar.

Special Case No.516/2023.

Crime No. 280 of 2023 P. S. Beltarodi.

State of Maharashtra
..vs..
Khushal Meshram.

Applicant : Khushal S/o Satrugan Meshram.

ORDER BELOW EXH.11

(Passed on 20th day of November 2025)

1. Heard learned Advocate for the applicant/accused and learned A.P.P
2. The accused has filed instant application for relaxation of condition of bail to furnish surety.
3. As per the applicant/accused he has been granted bail on 08/07/2025 on condition to furnish P.R.Bond of Rs.50,000/- and surety of like amount. He is behind bar since time of arrest on 23/05/2025, because of his poor financial condition and he could not arrange surety, therefore, he is in Jail. Now more than one year is over since the time of bail order and as per direction of the Hon'ble Supreme Court in ***SMWP (Criminal) No.4/2021*** the Court can *suo-moto* release the accused on condition after one month. The accused is seeking modification of the condition to extent that he be released minimum cash security.
4. Learned Advocate for the applicant submitted that the applicant is behind bar since the date of arrest, therefore, the applicant be released on furnishing minimum cash security in the interest of justice by modifying the condition of order dated 08/07/2025.

5. Learned APP and I.O. opposed the application and submitted that if the accused is released on bail, he will abscond and will not be available and therefore, application be rejected.
6. Undisputedly the offence is punishable under Section 20 of the NDPS Act. The accused could not furnish bail due to condition of poverty of the accused. Considering guidelines of the Hon'ble Apex Court in Judgment Supra the Court can consider relaxation of condition. Since the applicant accused is in jail and he is financially poor. Therefore, in order to secure his presence it is necessary to fix the amount as cash security in lieu of surety.
7. Considering the submissions made by the Learned Counsel for accused modification of condition to the extent of furnishing surety after release can be ordered and accordingly, I pass the following order.

ORDER

1. The application (Exh.3) is allowed.
2. The condition of furnishing surety is modified to the extent that the accused be released on cash security amount of Rs.10,000/-.

Nagpur
Date : 20/11/2025

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