



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

Presided over by
Shri. M. S. Ganorkar.

Cri. Bail Application No.3237 Of 2025

CNR No: MHNG010133882025.

Crime No.613 of 2025, P. S. Pachpaoli.

Amit S/o Krishna Gajbhiye.

V/s

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

Order below Exh.1
(Date: 10th November 2025)

1. This is an application for issuance of directions as applicant/accused be released on bail , U/Section 483 of the Bhartiya Nagarik Suraksha Sanhita. Applicant/accused booked in Crime No.613 of 2025, for the offences punishable U/Sections 8(c), 22(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. It is case of the applicant that he has been arrested on 09/10/2025 and since then he is in jail. It is alleged that on 01/08/2025 the raiding Team while on patrolling within the limits of Pachpaoli police, they went to Samta Ground, Lashkari Bag and suspected the accused, therefore, police caught and took search found 3.10 gms MD seized by the police in presence of panch, prepared seizure panchnama, arrested the accused and thereafter registered the offence under the NDPS Act.
5. The applicant further submitted that the applicant is falsely implicated in this crime. He is permanent of resident of Nagpur. Since, the arrest he is in jail. No purpose would be served by keeping the accused in jail for indefinite period. He is ready to abide by all conditions, if released on bail. Rigor of Section 37 of the NDPS Act is not applicable. 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 if the applicant released on bail, he will tamper with the evidence and witnesses. The contraband MD seized from the applicant is used for

commercial purpose. Hence, prayed that the application be rejected.

7. Learned Counsel for applicant submitted that MD powder involved in this case is 3.10 gms which below the commercial quantity. The MD powder was seized from accused No.1. Applicant has no connection with the crime. He was arrested on the basis of statement. Applicant is in custody since last more than 30 days. There is no evidence against the applicant so as to detain them in custody it will take long time to file charge-sheet and complete the trial. Hence, prayed for grant of bail.
8. Learned APP argued that applicant is drug peddler and the offence is serious. If the applicant is released on bail he may repeat such offence in future and he may engage in sell of drug. Hence, he prayed for rejection of application.
9. The drug MD powder seized from accused Aniket is weighing 3.10 gms which is below the commercial quantity. Nothing was seized from possession of applicant. As per police he was found with mobile, but there is no direct evidence that applicant is purchasing of MD powder. Applicant is in custody since last 30 days and arrested on the basis of statement of another accused. His further detention in custody is not necessary. On imposing suitable applicant can be released on bail. Consequently, proceed to pass following order.

ORDER

1. Application is allowed.
2. Applicants/accused ***Amit S/o Krishna Gajbhiye***, 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.613 of 2025 of Pachpaoli *Police Station*, for the offence punishable U/Section 8(c), 22(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, he 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 or every First and Third Monday in month 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. *Applicants/accused shall remain present on each date of proceeding or as and when called.*

Dictated and pronounced in open Court.

Date : 10th November 2025.

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