

Cri. Bail Appl. No. 255/2026
CNR No. MHOS010009612026

Achyut Prabhu Pawar

Vs.

The State of Maharashtra

A) Case Details :	
FIR Number and Date	181/2026
Police Station	Dhoki Police Station
District	Dharashiv (Osmanabad)
State	Maharashtra
Sections Invoked	U/Secs. 8(c) read with Section 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985
Maximum punishment prescribed	Rigorous imprisonment for a term which may extend to one year, or with a fine which may extend to ten thousand rupees, or with both
B) Custody and Procedural Compliance :	
Date of Arrest	27.05.2026
Total period of custody undergone	10 days
C) Status of Trial :	
State of proceedings (Investigation/Chargesheet/Cognizance/Framing of Charges/Trial)	Investigation
Total number of witnesses cited in the chargesheet	No
D) Criminal Antecedents :	
FIR No. and Police Station	No.
Sections	No.
Status	No.

(Pending/Acquitted Convicted)	
E) Previous Bail Applications :	
Court	No.
Case No.	No.
Outcome of case	No.
F) Coercive Processes :	
Whether any Non-Bailable Warrant was issued	No.
Whether declared a proclaimed offender	No.

ORDER BELOW EXH.1

1] This is bail application filed by applicant-accused Achyut Prabhu Pawar under section 483 of B.N.S.S. for regular bail in Crime No.181/2026 registered with Dhoki Police Station, Tq. And Dist. Osmanabad for the offence punishable Under Sections 8(c) read with Section 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985.

2] In short, it is the prosecution's case that Vilas Murlidhar Mali, a Police Head Constable at the Dhoki Police Station, lodged a complaint stating that on May 27, 2026, he, along with Police Head Constable Kalsaine and Police Constables Pande, Khandekar, Pathade, Shinde, and Lohar, was on patrolling duty to prevent illegal activities. They received secret information that Achyut Prabhu Pawar, a resident of Pardhipidhi, Ter, was in possession of a cannabis-like substance for sale. Assistant Police Inspector Hajare informed his superiors, and after obtaining their

permission, two panchas were summoned. After completing all other formalities, they conducted a raid at around 1:25 p.m., during which they found the accused, Achyut Prabhu Pawar. They introduced themselves to him and requested a search. Upon searching the house of the accused, they found a red coloured plastic bag from the 'Sumayya Saree Center' under a cot. The bag contained a total of 1.600 kilograms of a cannabis-like substance, consisting of dark green leaves with a pungent odor, seeds, and stalks.

3] In this application, it is averred by the applicant/accused that he has not committed any offence and has been falsely implicated in the crime. Furthermore, he is the karta of his family. He is ready to co-operate investigating machinery, if he released on regular bail.

4] Learned DGP filed his say vide Exh.5 and strongly objected the bail application. It is contended that, the offence is serious. Investigation of the case is in progress. If the accused is released on bail, he will pressurize prosecution witnesses and tamper with the evidence. Hence, prayed to reject the application.

5] Heard both sides.

6] I have carefully considered the allegations made in the

First Information Report, the submissions advanced on behalf of the applicant as well as the prosecution, and the material placed on record.

7] Upon perusal of the First Information Report and the material placed on record, it appears that the quantity of the contraband allegedly recovered from the possession of the applicant is 1.600 kilograms. Thus, the quantity recovered is admittedly more than 1 kilogram. It is true that in the FIR the offence has been mentioned under Section 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances Act, 1985, which pertains to possession of a *small quantity* of contraband. However, considering the actual quantity allegedly recovered, namely 1.600 kilograms, the case does not fall within the category of small quantity. As per the statutory scheme under the NDPS Act, possession of contraband exceeding the prescribed small quantity but below the commercial quantity falls within the category of intermediate quantity. In the present case, the quantity allegedly recovered is more than 1 kilogram and less than 20 kilograms and, therefore, the offence would prima facie be covered under Section 20(b)(ii)(B) of the NDPS Act, which prescribes punishment of rigorous imprisonment for a term which may extend to ten years and fine which may extend to ₹1,00,000/-. Consequently, the stringent restrictions applicable to offences involving commercial quantity are not attracted in the present

matter.

8] It further appears from the record that the alleged contraband has already been seized by the investigating agency and nothing remains to be recovered from the present applicant. The prosecution has opposed the application on the ground that the applicant is a habitual offender and that another crime bearing Crime No. 217 of 2020 was previously registered against him. However, learned advocate for the applicant has placed on record a copy of the order dated 05.11.2022 passed by the learned Sessions Judge, Osmanabad. A perusal of the said order reveals that the applicant came to be discharged in the said case. In view thereof, the contention of the prosecution regarding the applicant's alleged criminal antecedents loses much of its force and cannot, by itself, constitute a sufficient ground for denying bail. No other material has been brought on record to demonstrate that the applicant is likely to tamper with the prosecution evidence, influence witnesses, or abscond if released on bail.

9] The applicant is in judicial custody since 01.06.2026. Investigation, insofar as the recovery of the alleged contraband is concerned, appears to have substantially progressed and the seized articles are already in the custody of the investigating agency. The applicant has expressed his willingness to abide by all

conditions that may be imposed by this Court. Considering the nature of accusations, the quantity involved, the period of incarceration already undergone by the applicant, and the fact that the offence pertains to intermediate quantity, this Court is of the opinion that further detention of the applicant would serve no useful purpose. The presence of the applicant during trial can be secured by imposing appropriate conditions. Therefore, a case is made out for exercising discretion in favour of the applicant. Accordingly, the application deserves to be allowed. Hence, the following order:

ORDER

- 1) The application is allowed.
- 2) The applicant/accused Achyut Prabhu Pawar arrested in connection with Crime No.181/2026 of Dhoki Police station, Dharashiv be released on executing PR bond of Rs.50,000/- and solvent surety of like amount on following conditions.
 - A] He shall not pressurize the prosecution witnesses.
 - B] He shall furnish his authenticated address proof as well as his two nearest relatives.

[Rajesh K. Khomane]
Additional Sessions Judge,
Osmanabad

Date :- 11.06.2026

CERTIFICATE

I affirm that the contents of this P.D.F. file judgment are same word to word as per the original Judgment.

Name of the Stenographer	:	Golhe P.V., Stenographer Gr. I
Name of the Court	:	Addl. Sessions Judge, Osmanabad
Date of Judgment	:	11.06.2026
Judgment signed by the presiding officer	:	11.06.2026
Judgment uploaded on	:	11.06.2026