

MHRG170019742023



**IN THE COURT OF SPECIAL JUDGE
AT PANVEL, DISTRICT- RAIGAD
SPECIAL (NDPS) CASE NO.212/2023**

The State of Maharashtra

--- Prosecution

Vs.

Nishar Mohammad Shaikh & Ors.

--- Accused

Corum - Santosh C. Shinde

Date - 02nd June 2025

Appearance-

Ld. Addl. P. P Mr. Y. S. Bhopi for the State of Maharashtra.

Ld. Advocate Mr. Indrajit Bhosale for accused.

Order Below Exh.26

1. This application is filed u/s.440 of the CrPC by accused No.3 **Gani Abbas Shaikh** from jail.
2. Say of State of Maharashtra was called upon. Say is filed overleaf the application and application is strongly objected.
3. Heard Ld. advocate Mr. Indrajit Bhosale for accused No.3 and Ld. Addl. P. P Mr. Y. S. Bhopi for the State.

4. Accused is facing charges for offence punishable u/s.22(d) r/w 8(c) of the NDPS Act. He had filed Cri.B.A.No.832/2023 and by order dt.15th September 2023, this Court has allowed bail application and directed to accused No.3 to furnish PB & SB of Rs.30,000/- with one or two sureties in like amount. Record shows that till today accused has not furnished bail as he is behind bars.
5. Now, he is ready to furnish cash bail of Rs.15,000/- as he is not able to find surety. In view of observations & guidelines of the Hon'ble Apex Courts in Satender Antil Vs. CBI, I am of the view that accused No.3 is not able to furnish surety and comply with bail order therefore modification of condition No.2 in aforesaid bail order is necessary. Considering these aspects, I pass following order.

ORDER

1. Condition No.2 in order dt.15th September 2023 is modified and accused is directed to be released on cash bail of Rs.15,000/- with his PR in like amount.
2. Other conditions in bail order in order dt.15th September 2023 shall remain the same.

Panvel
Date - 02/06/2025

(Mr. S. C. Shinde)
Special Judge, Panvel,
Dist.-Raigad