

MHRG170022772025



Special (NDPS) Case No. 266/2025

State of Maharashtra ... Prosecution

Vs.

Rajan Bala Rathod ... Accused

ORDER BELOW EXH. 3

1] This is an application filed by applicant/**accused Rajan Bala Rathod** under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (in short "BNSS") for grant of bail.

2] I.O. has filed say to this application at Exh.5 and thereby strongly opposed the application.

3] Perused application, say thereon and documents produced on the record. Heard both sides.

4] Applicant/Accused was arrested on 20/10/2025 and he was remanded in judicial custody. The accused is charge-sheeted for the offences punishable under Sections 8(c), 20(b)(ii) (b) and 21(b) of the Narcotic Drugs and Psychotropic Substances Act 1985.

5] Ld. Advocate for applicant/accused submitted that applicant is not concerned with the alleged offence. The applicant has been falsely implicated in the case. Investigation is completed and charge-sheet is filed. The applicant was arrested only on suspicious ground. The applicant is innocent and has not committed any offence as alleged. Applicant is ready to obey any conditions to be imposed by the Court.

6] Ld. Addl. P. P. Shri. Rajendra Yerunkar submitted that the applicant has antecedents of offence of similar nature. If applicant is released on bail, he would not be available for the trial. Though charge-sheet is filed, considering the nature and gravity of the offence it is not proper to release the applicant on bail. If applicant is released on bail, there is possibility of repetition of crime. Hence, prosecution prayed for rejection of bail.

7] Perused application, say and record of the case. Informant Police Constable Janardan Sahdev Pawar attached to Anti-Narcotic Cell, Crime Branch Navi Mumbai received secret information on 20/10/2025 that at about 12.00 hours one person is selling Herion and Ganja in front of Kalamboli, Steel Market, on footpath near Mantosh Dhaba. Accordingly, as per order of Assistant Commissioner of Police, Crime Branch Navi Mumbai team consisting of informant Janardan Pawar, PHC Bankar, PHC Tayade, PHC Mehetar, PHC Pawar, PC Khillare and driver PC Patil along with two panch witnesses had reached in front Mantosh Dhaba. At that time raiding party police saw that one person was sitting in chair on footpath. Senior Police Inspector Nigade introduced raiding party police and panch witnesses to the said person. The said person told his name as Rajan Bala Rathod. In personally search of the accused, he was found in possession of 30 grams Herion and 1796 grams Ganja. Therefore, the informant lodged report to police station.

8] As per the Gazette Notification issued by the Government of India, Herion and Ganja are contraband substance. The commercial quantity of Herion is 250grams and Ganja is 20Kg in the present case, contraband Ganja weighing 1796grams and Herion weighing 30grams have been recovered, which are intermediate quantity. Hence, rigors of the provisions of Section 37 of NDPS Act is not applicable.

9] Now, the charge-sheet has been filed. Applicant is behind the bar since 20/10/2025. Bail cannot be rejected mere on the ground that other crime of similar nature are pending against the applicant/accused. Hence, further detention of the accused/applicant would not serve purpose of justice. Under these circumstances, I am inclined to grant bail. As a result, I proceed to pass following order.

:: ORDER ::

1. Bail application (Exh.3) is allowed.
2. Applicant/accused **Rajan Bala Rathod** be released on bail on furnishing P.B. and S.B. of Rs.50,000/-(Rupees Fifty Thousands Only) with one or two surety in like amount in C.R. No.239/2025 registered at Kalamboli Police Station for offences punishable under Section 8(c), 20(b)(ii)(b) and 21(b) of the Narcotic Drugs and Psychotropic Substances Act 1985.
3. The applicant shall not directly or indirectly make any inducement, threat and promise to any person, acquainted with the facts of the

case so as to dissuade him from disclosing such facts to the Court or any police officer.

4. Inform the concerned police station and jail authority, accordingly.

Panvel,
Dated :- 11/03/2026

(S. R. Chavan)
Addl. Sessions Judge
Panvel, Dist.-Raigad