

SPECIAL CASE NO. 39-2025
CNR No. MHRT0100006772025.

The State

Prosecution

Versus

Adwait Sandesh Chavande

Accused

Order Below Exh. 17.
(Dated 14.05.2026)

1. Applicant / Accused Adwait Sandesh Chavande filed this application U/Sec. 483 of B.N.S.S. for grant of regular bail in Crime No. 279/2025 of Ratnagiri City police station; for the offences punishable under Sections 8(c), 21(b) of the N.D.P.S. Act.

2. Perused the application and say. Heard respective counsels.

3. Ld. Counsel for the applicant submitted that this is second bail application filed by the applicant as his earlier bail application below Exh. 9 came to be rejected by this Court. However, a liberty was granted to file fresh bail application if trial would not commence on or before 30.04.2026. However, till today even muddemal has not received from the FSL. That the prosecution could not examine even single witness till today. The prosecution has cited 15 witnesses to be examined and there are more than 42

documents excluding CA reports. Therefore, it is clear that the trial may not conclude at least within six months. Even otherwise there are no antecedent against the applicant under the NDPS Act.

4. There is good case on merits. The very inception of allotting patrolling duty to the raiding party is as per oral direction. They have used private vehicle. The entire action is suspicious. Hence, when the prosecution is not serious in conducting the trial the applicant may be enlarged on bail on appropriate conditions.

5. On the other hand, Ld. SPP submitted that the arrival of the muddemal is not in control of the prosecution. However, it is required to consider that the applicant's bail application was rejected twice on merits. One before charge-sheet and another after filing of the charge-sheet. Now, the prosecution is ready to proceed with the trial without waiting for muddemal. The case may be sum up in 3 or 4 months. Hence, the application may be rejected.

6. The applicant is relied upon decision in the case of *Rupesh Dilip Jadhav Vs. The State of Maharashtra, reported in 2025 ALL MR (Cri) 3155* and *Mohd. Mobin Jahurul Hasan Manihar Vs. State of Maharashtra, reported in 2025 ALL MR (Cri) 553* on the point of speedy trial.

7. In the present case the earlier bail application was rejected on 04.11.2025 and liberty was granted to the applicant to renew the prayer for bail if the trial would not commenced on or before 30.04.2026. The Investigating Officer could have take steps for producing the muddemal in the Court. However, there is no material produced by the Investigating Officer to show that any attempts were made by him to produce the same or at least any letter has sent to the FSL for getting muddemal at the earliest, especially when the accused is under trial prisoner.

8. Be that as it may, there are serious allegations against the accused. He is found with 88 packets of brown heroin. His earlier bail application has rejected on merits. Granting liberty to file application would not mean the application would be allowed as a matter of right. Now the prosecution is ready to examine the witnesses even without waiting for muddemal articles. The accused has came to be arrested on 26.06.2025 just before 10 months.

9. No doubt, speedy trial is right of the accused. However, at the same time gravity of the offence is also required to be taken into consideration. When the applicant is found with 88 packets of the contraband articles, it is indicating that they are not

for consumption, but they are for circulation in the society. It is an offence against the society.

10. Moreover, there is one antecedent against the applicant bearing CR No. 258/2023 of Ratnagiri City Police Station for the offence punishable under Section 392 r/w 34 of the Indian Penal Code. In these circumstances, when the prosecution is ready to proceed with the trial and when list of the witnesses has submitted by the SPP, it is possible to complete the recording of evidence within 4-5 months, the application is required to be rejected with further liberty that the applicant to renew his prayer of bail if the recording of evidence would not completed till 15.09.2026. Hence, I pass following order.

ORDER

1. Application Exh. 17 is rejected.
2. The applicant is at liberty to renew the prayer for bail, if the recording of evidence would not completed till 15.09.2026.
3. Inform the concerned accordingly.

Date :- 14.05.2026

(V. Y. Jadhav)
Special Judge, Ratnagiri.