

MHST010005042026



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, SATARA
Criminal Bail Application No.81 of 2026**

Shivraj Pankan Kanse.

..Applicant

V/s.

State of Maharashtra

..Respondent

Shri. A. R. Nikam, Advocate for applicant.

Smt. G. M. Lakade, A.P.P. for the State.

**Coram: Mr. S. R. Tamboli,
The Addl. Sessions Judge, Satara,**

:: ORDER BELOW EXH. 1 ::

1. In the instant application, the applicant has prayed for bail under Section 483 of the B.N.S.S.

2. In short, the case of the prosecution is that Swapnil Kumbhar, the first informant, is a police officer working at the Local Crime Branch, Satara. It is alleged that while the first informant was present at his office, API Ramesh Garaje called him, Drug Inspector Vikas Patil, two panchas, and other police staff, and stated that their superior officer, PI Devkar, had received secret information that accused Shivraj Kanse was possessing Mephentermine Sulphate Injection without any prescription from a medical practitioner and

that he was possessing the same for selling it to buyers, having knowledge that the said injection is harmful if used. Accused Shivraj Kanse was going to be near the Charbhinti area for the purpose of selling the said injection on his motorcycle, wearing a chocolate-colored hoodie and black track pants. Therefore, the police personnel arranged the staff for the raid along with panchas and proceeded towards the spot at about 6:30 p.m., the first informant and police staff apprehended the accused near Charbhinti and searched the carry bag. The accused was found in possession of 13 bottles of Mephentermine Sulphate Injection. Thereafter, API Garaje asked him whether he had a prescription to purchase and possess the said medicine, to which the accused denied the same. The accused was carrying the said injections for the purpose of selling them, knowing that they are harmful to humans if taken. Hence, the FIR was lodged.

3. In the backdrop of these facts, Mr. A. R. Nikam, learned counsel for the applicant, submitted that the applicant has not administered any poisonous or stupefying substance as contemplated under Section 123 of the B.N.S. Hence, there is no prima facie case for the said offence, and rest of the offences alleged areailable. The investigation is already completed. Nothing remains to be recovered from the applicant. He has a permanent residence. Hence, he prayed that the applicant be released on bail.

4. Per contra, Ms. G. M. Lakade, learned A.P.P. for the State, submitted that the offence alleged against the applicant is serious.

The applicant is involved in the case and may tamper with the evidence. The accused was caught along with the injections. There is a prima facie case against him. Hence, she prayed for rejection of the application.

5. There is no allegation against the applicant that he administered the injections. There is no prima facie case under Section 123 of the B.N.S. Moreover, the said offence is not punishable with sentence of death or life imprisonment. The rest of the offences are bailable. The investigation and trial will take their own time. No purpose will be served by detaining the applicant in jail as pretrial punishment. The applicant has a permanent residence, and it is less likely that he will abscond. The apprehension of tampering with the evidence can be addressed by imposing stringent conditions. Hence, I am inclined to grant bail. In the result, I pass the following order.

ORDER

1. The application is allowed.
2. The applicant, Shivraj Pankaj Kanse, be released on bail in Satara City Police Station C.R. No. 118/2026, on furnishing P.B. and S.B. of Rs. 50,000/-, on the following conditions:
 - (a) The applicant shall not pressurize the witnesses and shall not tamper with the prosecution evidence.
 - (b) The applicant shall attend the concerned Police Station as and when called by the Investigating Officer, till the filing of the charge-sheet.
 - (c) The applicant and his surety, if any, shall furnish their addresses

and mobile numbers and shall not change their residence till the conclusion of the trial without informing the police station.

3. Bail before the concerned Court.

4. A copy of this order be sent to the District Central Jail, Satara, by e-mail.

Date- 10/03/2026

(S.R.Tamboli)
Addl. Sessions Judge, Satara.