

Ajit Pathrikar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3817 OF 2025**

Sahil Shabbir Lambe ...Applicant
Versus
State Of Maharashtra ...Respondent

Mr. Anil Lalla *a/w Yash Pulekar, Rushil Alag, Dewang Rawal,
Yashvi Jain and Deepti Panadi for the Applicant.*
Ms. Anamika Malhotra, *APP for the State-Respondent.*

CORAM DR. NEELA GOKHALE, J.
DATED: 8th DECEMBER 2025

PC:-

1. The Applicant seeks his release on bail in connection with C.R. No. 201 of 2025 dated 15th April 2025 registered with Nerul Police Station, Navi Mumbai for the offences punishable under Sections 8(c), 20(b)(ii)(A)(B), 21(a), 23(a), 23(b), 27A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, “NDPS Act”) and under Sections 338, 336(3), 340(2), 255 of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS”). The Applicant is charged

under Sections 8(c), 20(b)(ii)(A), 21(a) and 29 of the NDPS Act.

2. The facts of the case, as discerned from the FIR, are that there are in all 26 Accused in the present C.R. The present Applicant was arrested on the statement of Accused No.1, Ashish Gaware, and Accused No.2, Ahmed Aoulgi. After following the due process of the NDPS Act, 1.84 grams of Cocaine and 31.37 grams of Ganja were seized from the house of the Applicant. He was arrested on 16th April 2025.

3. The Applicant made an application seeking bail before the Additional Sessions Judge, Belapur. However, by order dated 27th June 2025, the said application was rejected. Hence. The Applicant is before this Court for the relief as prayed.

4. Mr. Anil Lalla learned counsel appearing for the Applicant, submits that only a small quantity of contraband was recovered from the Applicant and there are no

antecedents against the Applicant. The maximum punishment for the offences alleged against him is one year of imprisonment. He thus prays that the Applicant be enlarged on bail.

5. Ms. Anamika Malhotra along with Ms. Megha Bajoria, learned APP representing the State, submit that although only a small quantity of contraband was recovered from the present Applicant, there is a drug cartel network, of which, the Applicant and the co-accused are a part. They thus, pray that the Application be rejected.

6. I have heard learned counsel appearing for the respective parties and perused the record with their assistance.

7. From a plain reading of the FIR and the documents in the charge-sheet, it is revealed that only small quantity of contraband was recovered from the present Applicant. The maximum sentence is one year of rigorous imprisonment

along with fine. He is already incarcerated since 16th April 2025. I have gone through the Whatsapp chat purported to be between the Applicant and a co-accused namely, Ankit Nikalje. The chats nowhere mention anything about drug dealings, albeit, there are references to transfers of cash and some products sold. Apart from the said 2-3 chats there learned APP is unable to show any other material against the present Applicant which will connect him to the alleged drug cartel run by co-accused Chandwani. In any case, the contraband recovered from the present Applicant is of small quantity. Admittedly, there are no antecedents against him. In view of the aforesaid, I am inclined to enlarge the Applicant on bail and it is ordered as under:

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 1,00,000/- with one or two local sureties in the like amount;

- ii) The Applicant shall attend the Police Station concerned, on first Monday of every month between 10:00 a.m. and 12:00 p.m., till the charges are framed. He shall also attend the Trial Court concerned on each and every date as directed, till the conclusion of the trial, save and except if the Applicant is exempted from appearance by orders of the Trial Court;
- iii) If the Applicant has not deposited his passport, the Applicant shall deposit the same with the concerned Police Station, if any;
- iv) The Applicant shall not leave India, without the permission of the Trial Court;
- v) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- vi) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released

and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

vii) The Applicant to co-operate with the conduct of the trial;

viii) Any infraction of the aforesaid conditions shall entail cancellation of bail.

8. The Bail Application is allowed in the aforesaid terms and is accordingly disposed of.

9. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(Dr. Neela Gokhale, J)