

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3835 OF 2025**

1.Mahesh Shantilal Bind	...Applicants
2.Amrapali Mahesh Bind	
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Kiran Gogavale, *for the Applicant.*
Ms. Poonam P Bhosale, *APP for the Respondent - State.*
I.O. - Suraj Raut, API, Dindoshi Police Station, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 08TH OCTOBER 2025

PC:-

1. By this Application, the Applicants seek their release on bail in connection with C.R.No.90 of 2022 dated 5th February, 2022, registered with the Dindoshi Police Station, for the offences punishable under Sections 8(c) r/w 20(b)(ii) (c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NPDS').

2. In all there are 7 accused persons implicated in the present crime. On 4th February, 2022, while on patrolling duty, Dindoshi Police officials apprehended the main accused namely Momin Mehboob Sayyad i.e. Accused No.1 who was found loitering in suspicious circumstances. 50 grams of Ganja was recovered from him. Accused No.1 – Momin disclosed that he purchased the said Ganja from Accused No.2 – Ashraf who, according to him, stored huge quantity of Ganja at Sundernagar, Andheri (East), Mumbai. This led the police to the said house wherein four people, including the present Applicants, who are husband and wife, were found. The Police also recovered two gunny bags containing 22 Kgs and 550 grams of Ganja, from the said house. The Applicants thus, came to be implicated in the present crime.

3. The Applicants filed bail application before the Special NDPS Court, however, by order dated 25th August, 2025 their bail application was rejected. Hence, the

Applicants have filed present Bail Application for the reliefs as prayed.

4. At the very outset, Mr.Gogavale, learned counsel for the Applicants, brought to my notice order dated 27th January, 2025, passed by the Supreme Court in Criminal Appeal (St) No.403 of 2025 arising out of SLP (Criminal) No.15592/2024, whereby the main accused namely Ashraf Asgar Sayyad i.e. Accused No.2 has been granted bail on the ground that he has undergone incarceration for a period of three years without even charges being framed in the said case. Till date charges are not framed in the said case.

5. Ms.Bhosale, learned APP representing the State, submits that said Ganja was recovered, which is of commercial quantity from the house occupied by the Applicants and hence, she submits that the Applicants are complicit in the said crime. She thus, prays that the Application be rejected.

6. I have heard learned counsels for the respective parties and perused the record of the case with their assistance.

7. Considering that the Apex Court by its order dated 27th January, 2025, has enlarged Accused No.2 – Ashraf on bail on the ground of long incarceration and charges not being framed, I am inclined to enlarge the Applicants on bail. Hence, I pass following order:-

ORDER

- i) The Applicants be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/- each with one or two local sureties in the like amount;
- ii) The Applicants shall attend the Trial Court concerned on each and every date unless exempted by the orders of the Trial Court concerned;

iii) The Applicants shall also attend the Police Station concerned once in a month between 11:00 a.m. to 02:00 p.m. till the charges are framed;

iv) If the Applicants have not deposited their passports, if any, the Applicants shall deposit the same with the Police Station concerned;

v) The Applicants shall not leave India, without the permission of the Trial Court;

vi) The Applicants shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

vii) The Applicants shall inform their 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 Police Station concerned ;

viii) The Applicants to co-operate with the conduct of the trial;

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

8. Application is allowed in the above 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 learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(DR. NEELA GOKHALE, J)