

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.4024 OF 2025**

Juman Mohammad Bin Sultan Bin Minif	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Kamran S. Shaikh, *for the Applicant.*
Ms. Megha S. Bajoria, *APP for the Respondent - State.*
PSI – Kiran Baghdane, Kashigaon Police Station, MBVV,
Present.

CORAM DR. NEELA GOKHALE, J.
DATED: 16TH DECEMBER 2025

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No.8 of 2024 registered with the Kashigaon Police Station, for the offences punishable under Sections 8(c), 22, 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS').

2. There are five accused in total. Two of the accused have been enlarged on bail by the Sessions Court by orders dated 16th August, 2024 and 7th October, 2024 respectively.

3. The facts of the case, in brief, as discerned from the investigation report, are that on 23rd March, 2024, when the police were on patrolling duty they found one person loitering under suspicious circumstances near the Rilcon Cement Factory. The said person had a white nylon bag in his right hand and was standing as if waiting for someone. The police, after complying with the statutory provisions of the NDPS Act, intercepted and searched him. On search they found 53 bottles containing Codeine Phosphate. The said person was co-accused namely, Mansur Mehtab Shaikh. Upon arrest and during interrogation, Mansur Mehtab Shaikh disclosed to the police that he had purchased the said cough syrup bottles from the present Applicant, who, according to him, was dealing in drugs. Consequently, the Police arrested

the present Applicant on 11th May, 2025. No recovery was made from the Applicant.

4. The Applicant made an application seeking bail before the Special Judge (NDPS), Thane; however, by order dated 17th September, 2025, the said application was rejected. Hence, the Applicant has filed the present Bail Application seeking the reliefs as prayed.

5. Mr. Shaikh, learned counsel for the Applicant, firstly submits that no recovery was made from the present Applicant and that he was arrested solely on the statement given to the police by the co-accused. He further submits that there is non-compliance of the mandatory provisions of the NDPS Act. According to him, there is no material on record to connect the Applicant with the alleged offence. He, therefore, prays that the Applicant be released on bail.

6. Per contra Ms. Bajoria, learned APP representing the State, submits that there is no contravention of any

provision of the NDPS Act and the Investigating Officer has meticulously and diligently followed the procedure laid down under the NDPS Act. She, however, fairly concedes that the Applicant was arrested solely on the statement of the co-accused. She, therefore, prays that the Application be rejected.

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

8. It is admitted fact that there has been no recovery from the Applicant. There is no material on record to indicate that he was connected with the co-accused. There are no financial transactions on record nor are there any WhatsApp messages or contact details to establish connection between the co-accused and the present Applicant. Admittedly, there are no antecedents against the present Applicant. In these circumstances, I am of the view that there is reason to believe that the present Applicant has not committed the said offence.

Since there are no antecedents, it can be reasonably inferred that he is not likely to repeat the offence.

9. In view of the above discussions, I am inclined to enlarge the Applicant on bail. It is accordingly ordered as under:-

ORDER

i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;

ii) The Applicant shall attend the Trial Court concerned on each and every date unless exempted by the orders of the Trial Court concerned;

iii) The Applicant shall also attend the Police Station concerned twice a month, on the First and Second Mondays of every month, between 11:00 a.m. to 02:00 p.m., until the charges are framed;

iv) If the Applicant has not deposited his passport, if any, the Applicant shall deposit the same with the Police Station concerned;

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

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

vii) The Applicant shall inform his latest place of residence and 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 Applicant to co-operate with the conduct of the trial;

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

10. Application is allowed in the above terms and is accordingly disposed of.

11. 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)