

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.4354 OF 2025**

Mohd. Basit Mohd. Farooq Ansari	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Abdullah A. Siddiqui i/by Jasim G. Shaikh, *for the Applicant.*
Ms. Megha S. Bajoria, *APP for the Respondent - State.*
PI – G.G. Bayasthakur, Dongri Police Station, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 25TH NOVEMBER 2025

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No.22 of 2022 dated 16th April, 2022 registered with the Dongri Police Station, for the offences punishable under Sections 8(c), 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS').

2. It is the case of the prosecution that pursuant to prior information received from their sources, the officers concerned, went for patrolling and found the present Applicant and another co-accused sitting in a taxi parked near the Dongri area. Since the two persons were found to be in suspicious circumstances, the police started interrogating them. After complying with all the statutory provisions of the NDPS Act, the taxi was searched and as many as 22 boxes, containing a total of 700 bottles of codeine phosphate syrup were found. Hence, the FIR was registered and accused were arrested. The Applicant was arrested on 15th April, 2022.

3. At the very outset, Mr. Siddiqui, learned counsel for the Applicant, placed on record an order dated 20th March, 2025, passed by the Supreme Court granting bail to the co-accused – Azim @ Ajim Mohd. Khan. It is this co-accused who was sitting next to the present Applicant, in the taxi which was found parked in the parking lot.

4. I have gone through the order passed by the Supreme Court. The Supreme Court, considering the facts and circumstances of the present case, and the period undergone by the co-accused i.e. since 22nd April, 2022, and also in view of the fact that another co-accused was already granted bail, enlarged the co-accused Azim @Ajim Mohd. Khan on bail.

5. Ms. Bajoria, learned APP representing the State, fairly concedes that the role attributed to co-accused - Azim @Ajim Mohd. Khan is similar and identical to the role attributed to the present Applicant, as both of them were found with 22 boxes, together containing 700 bottles of codeine phosphate syrup. There was one antecedent against the co-accused - Azim @Ajim Mohd. Khan, and similarly there is one antecedent against the present Applicant also. The Supreme court has granted bail to the co-accused - Azim @Ajim Mohd. Khan. Even as on date, the trial has not progressed and charges are not framed. In view of the long incarceration of the present Applicant, similar to the co-

accused enlarged on bail, I am inclined to enlarge the Applicant on bail, only on the ground of parity. 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 once in a 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.

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

7. 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)