

Ajit Pathrikar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4558 OF 2025**

Aryan Raja ...Applicant
Versus
State Of Maharashtra ...Respondent

Mr. Prashant Gawali *a/w Aayush Kedia and Shreya Mathane,
for the Applicant.*
Ms. Anamika Malhotra *a/w Megha Bajoria, 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 the 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 27A 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 main Accused i.e. Ashish Gaware was arrested in pursuance of information received by the police officials that he possessed Ganja and was a dealer. Similarly, the Accused No.2, Ahmed Aoulgi, was also arrested. 1.15 kgs of regular Ganja and 17.19 grams of hydro Ganja was recovered from the Accused Nos. 1 and 2 respectively. Similarly, Accused Nos. 3 to 11 were also arrested and on the statement of Accused No. 11, the present Applicant was arrested on 9th May 2025. According to the prosecution, this was a drug cartel and all the Accused were involved in the drug deal.

3. The Applicant made an application seeking bail before the Additional Sessions Judge, Belapur. However, by order dated 10th July 2025 the said application was rejected. Hence, the Applicant is before this Court seeking the relief as prayed.

4. Mr. Prashant Gawali, learned counsel for the Applicant, submits that there was no recovery made from the present Applicant. He is a sailor, working with a private shipping company. He was dealing in cryptocurrency and was trading from his account. His friend namely Sujit Raghunath Bangera, Accused No.4, had requested him to allow him to transfer some money from his crypto account for the purpose of trading, to which, he consented. Hence, there was some money transferred in his account because of which, the police have implicated him along with co-accused and charged him with the said offence. Mr. Gawali submits that the Applicant has not committed any offence and he is not connected with the so called drug cartel. He then submits that there are no antecedents in respect of the present Applicant and he is in custody since 9th May 2025 and no purpose will be served by his continued incarceration. 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 there is a drug cartel network and although nothing was recovered from the present Applicant, his role in permitting co-accused to use his crypto account is sufficient to indicate his connection with the other Accused. They also submit that the Applicant is in custody only from May 2025 and the maximum punishment is 10 to 20 years and hence, it is not a case of long incarceration pending trial. In any case, they submit that the trial is to commence soon and likely to be concluded in the foreseeable future. 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. Admittedly, there is nothing recovered from the present Applicant. Save and except the money transferred to his account by Accused No.4 i.e. Sujit Bangera, there is no material on record to demonstrate his complicity in the said

offence. Admittedly, there are no antecedents in respect of the present Applicant. The charge-sheet is filed. The present Applicant is arrested only on the statement of the co-accused which is, inadmissible evidence. In these circumstances, there is a reasonable ground to believe that the Applicant has not committed the said offence as alleged and is not likely to commit any such offence, while on bail.

8. 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.

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

10. 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)