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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.3044 OF 2026

Abhiram Parameswaran ...Applicant

V/s.

Union of India & Anr. ...Respondents

Mr. Murtaza Najmi a/w Adv. Yogesh S. Palve, Adv. Farida Najmi, Adv. Nancy Kanungo, Adv. Arefa Siddiquie, Adv. Nasrah Ansari & Adv. Priya Pandey, for the Applicant.
Ms. Anagha A. Deshmukh, APP for the Respondent-State.

CORAM: SHYAM C. CHANDAK, J.
DATED : 15th OCTOBER, 2026

P.C. :-

1. Heard learned counsel for the parties. Perused the record.

2. Applicant seeks his release on bail in connection with File No.NCB/MZU/CR-21/2025, registered with Narcotics Control Bureau, Mumbai Zonal Unit, for the offence punishable under Sections 8(c) r/w 20(b)(ii)(A), 22(c), 28 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ("NDPS Act"), on the reported dated 30.10.2025 lodged by the Mr. Amol More, Inspector, NCB, Mumbai Zonal Unit.

3. The prosecution case is that, on 19.10.2025, Mr. Akash Mallick, Sub Inspector, NCB received a secret information that accused No.1 was involved in purchasing and consuming of *Ganja* and LSD blots. He had ordered one consignment of LSD blots through online and one parcel bearing certain tracking number containing LSD blots has been delivered to him on 27.10.2025 at his address. If that house will be searched, the *Ganja* and LSD blots may be recovered there. Therefore, the team of the officers of NCB

was formed and said team along with two panchas carried out a raid at the house of accused No.1. During the house search, police found 50 gms of *Ganja* and 50 LSD blots. Said contraband substance were seized and a panchanma was recorded to that effect. Accordingly, the present crime came to be registered. During investigation, police recorded the statement of accused No.1. Therein, he revealed that he had purchased the said contraband substance through the applicant. Therefore, notice under Section 67 of the NDPS Act was served upon the applicant and, his statement was recorded. The applicant revealed his link with the present crime of illicit drug trafficking. The applicant also admitted the financial transactions with accused No.1 dated 19.10.2025 for the purchase of 50 numbers of LSD blots through Darknet. Therefore, the applicant was arrested. On completion of investigation, the Respondent-NCB filed the complaint. The trial Court refused to release the applicant on bail. Hence, this application.

4. Mr. Najmi, the learned counsel for the applicant submitted that there is non-compliance of Section 42 of the NDPS Act. Therefore, the search and seizure of the contraband is vitiated. It is complainant's own case that, the order of purchasing the contraband substance was placed by accused No.1 and its payment was also done by him. The alleged recovery of contraband substance is from the house of accused No.1. The applicant has no role in the present crime. The prosecution case against the applicant is based only on the statements of accused No.1 and the applicant, which is inadmissible in evidence. Thus, the applicant is innocent and is entitled for bail.

5. In reply, Ms. Deshmukh, the learned APP stated that there is sufficient material against the applicant and accused No.1 that the

two had purchased the said contraband through Darknet for which the applicant had aided accused No.1 to place the order and make the payment. The recovery of the contraband substance LSD was a commercial quantity. The applicant has not pointed out that he is not guilty of this offence. Considering the facts and circumstances of the case, the applicant is likely to repeat the offence. Therefore, rigours of Section 37 of the NDPS Act is applicable in this case and the applicant is not entitled for bail.

6. I have considered these submissions. In the complaint, it is stated that the contraband substance was ordered by accused No.1. According to the prosecution, first, applicant paid Rs.23894.79 to one Mr. Sajal and that amount was used for purchasing the contraband. However, said Sajal is not inquired with nor arrested. How the Darknet was paid that amount is not discernible from the record. As such, the claim of the prosecution that the applicant has aided in purchasing the contraband, is only based on his statement and the statement of the accused No.1 under Section 67 of the NDPS Act. However, said statements are not sufficiently corroborated with the material on record. Thus, the applicant has *prima facie* shown that he is not guilty of this offence. It is not informed to the Court that the applicant has any criminal antecedent of such a nature. Therefore, the twin conditions under Section 37 of the NDPS Act are satisfied by the applicant, which entitles him for bail. Hence, following Order:-

(i) Applicant – Abhiram Parameswaran be released on bail in File No.NCB/MZU/CR-21/2025, registered with Narcotics Control Bureau, Mumbai Zonal Unit, on his executing a P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.

(ii) The applicant shall mark his attendance at Narcotics Control Bureau, Mumbai Zonal Unit on 1st day of a month, between 11:00 a.m. to 2:00 p.m., till conclusion of the trial.

(iii) The applicant shall regularly attend the proceedings before the jurisdictional Court unless exempted by the said Court, for the reasons to be recorded in writing.

(iv) The applicant shall not tamper with the prosecution evidence and shall not influence upon the prosecution witness to prevent them from deposing against him.

(v) On being released from jail, the applicant shall furnish his contact number and residential address to Investigation Officer and, keep him updated, if there is any change.

(vi) The applicant shall not indulge in identical activities for which he has been arraigned in this case.

(vii) Any observation made in the present Order are for the purpose of deciding the present Bail application and should not influence the outcome of the trial.

7. Application stands disposed of in the aforesaid terms.

(SHYAM C. CHANDAK, J.)