IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3772 OF 2026

Karan Sachin Mohite .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Rameshwar Gite & Mr. Pravin Thorat, Advocates, for the Applicant
Ms. Sangeeta Phad, APP, for the Respondent – State

ANAND SUDHAKAR SUDAME
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Date: 2026.10.07 20:36:20 +0530

CORAM : MILIND N. JADHAV, J.

DATE : 07.10.2026

P. C.

1. Heard Mr. Gite, learned Counsel for the Applicant and Ms. Phad, learned APP for the Respondent – State.

2. This Application is filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (for short "**BNSS**") in connection with C.R.No.149 of 2026 registered with Loni Kand Police Station, Pune for offences punishable under Section 21(b)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short "**NDPS**").

3. The Applicant is indicted in an NDPS offence for having been found in conscious possession of intermediate quantity of the alleged contraband. The Applicant is 20 years old. He has no antecedents. Mr. Gite would argue that the Applicant is a student and therefore, being a

young offender, the Court may consider his case for grant of bail. I have perused the record placed before me. *Prima facie*, it is seen that the Applicant was apprehended from a car along with the other co-accused persons and the car also did not have a number plate. Mr. Gite, on instructions would submit that the car did not belong to the Applicant and the Applicant has no father and his mother works as a maid which is *prima facie* documented from the trial Court's order which is appended to the Application. I am, therefore, impelled to consider the case of the Applicant for grant of bail for he being young offender and every semblance of a chance needs to be taken by the Court to consider case of a young offender for doing justice so that the young offender gets an opportunity to prove himself and become a better citizen in the Society.

4. Considering Applicant's age, if he is enlarged on bail Court is hopeful that his family will undoubtedly do their duty to make every effort and attempt to reform and aid the Applicant in leading a reformed life while on bail rather than keep him in prison and expose him to criminal outlook and life in prison. However on the flip side, if a chance is given to the Applicant because of his young age by enlarging him on bail, there is a possibility that he will be remorseful and repent in retrospect. This is a chance required to be taken by the Court

because punishment has to be believed to be inflicted for a reformative result rather than being punitive in nature.

5. Undoubtedly the trial will determine the complicity of Applicant in the offence. While considering Bail Application in such facts, Court feels that reform and rehabilitation of the under trial accused needs to be considered especially when age of the accused person is young so that he gets an opportunity / or is given an opportunity to reform, rehabilitate and earn his livelihood honorably from the perspective of social integration. This is a chance which the Court must take considering the young age of accused person. The age of the Applicant is very young. If the Applicant is incarcerated in prison further, there is every possibility that he might lose faith in the institution and society at large and may tread the path of criminality or would waste his life. Incarceration in prison exposes many youth to abuse as is shown statistically.

6. There are several harms of incarceration which are inflicted disproportionately on the youth. This is the reason why Court feels that any / every semblance of a chance towards a reformative approach in punishment should be adopted, especially in the case of young offenders. Hence every opportunity or to that extent risk should be constructively taken by the Court in the case of young offenders –

accused before committing such accused to further custody and give such accused an opportunity to become a good citizen in the Society. These observations are only in the view of the young age of the Applicant before me and it is only a means to explore an alternative to incarceration so that the Applicant can become a good citizen.

7. Hence, in view of above *prima facie* observations and finding, Bail Application of Applicant is allowed subject to the following terms and conditions:-

(i) Applicant – **Karan Sachin Mohite** is directed to be immediately released from prison in connection with CR. No. 149 of 2026;

(ii) Applicant is directed to be released on bail on furnishing P. R. Bond of Rs.10,000/- (Rs. Ten Thousand only) with one surety of the like amount;

(iii) Applicant shall report to the Investigating Officer at Loni Kand Police Station, Pune, once every month, on the first Monday of the month between 10:00 a.m. to 12:00 p.m. until commencement of trial and thereafter shall attend all dates of hearing before the Trial Court;

(iv) Applicant shall co-operate with the conduct of the trial

and remain present before the Trial Court on all dates, unless specifically exempted. Applicant shall not seek unnecessary adjournments. Any such conduct shall entitle the prosecution to apply for cancellation of bail;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current residential address and mobile telephone number and shall forthwith inform the Investigating Officer of any change in his residential address or mobile telephone number, as and when such change occurs; and

(viii) Any breach or infraction of any of the aforesaid conditions shall entail cancellation of the bail granted to the Applicant.

8. It is clarified that the observations made in this order are limited for the purpose of granting bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on

the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made herein above in this order.

9. Bail Application is allowed and disposed in the above terms.

(MILIND N. JADHAV, J.)