Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3849 OF 2026

Shivraj Uttam Chavan .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Ankesh R. Thakur, Advocate i/by Mr. Charan Penthalia for Applicant.
- Mr. Amit A. Palkar, APP for Respondent – State.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 13, 2026

P.C.:

1. Heard Mr. Thakur, learned Advocate for Applicant and Mr. Palkar, learned APP for Respondent.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail in connection with C.R. No.130 of 2026 registered with Lonavala Gramin Police Station for offences punishable under Sections 8(c) and 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short "**NDPS Act**").

3. Applicant was arrested on 19.05.2023 solely on the basis of WhatsApp chats found on the mobile phone of Accused No.1. Accused Nos.1 and 2 were apprehended by the prosecution at a public place, where the alleged contraband was also recovered. Insofar as the Applicant is concerned, no recovery has been effected from him. In

view of these circumstances, the prosecution's case against the Applicant is solely on the basis of WhatsApp chats in question and circumstantial. Applicant is in incarceration for more than 3 years and 6 months pending trial which in itself is prolonged incarceration. In view of the above, I am inclined to grant bail to the Applicant.

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

(i) Applicant – Shivraj Uttam Chavan is directed to be immediately released from prison in connection with CR. No.130 of 2026;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs.25,000/- (Rs. Twenty Five Thousand only) with one or two sureties in the like amount;

(iii) Applicant shall report to the Investigating Officer at concerned Police Station, 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 cooperate 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.

5. 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 hereinabove in this order.

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

[MILIND N. JADHAV, J.]

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Date: 2026.10.13 20:17:02 +0530