IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3963 OF 2026

Neeraj Navinbhai Shaha ... Applicant
V/S.
State of Maharashtra and Anr. ... Respondents

AND

BAIL APPLICATION NO. 4056 OF 2026

Akshay Satishkumar Nair ... Applicant
V/S.
State of Maharashtra and Anr. ... Respondents

Mr.Taraq Sayed a/w. Aryan K. Kotwal, Ashwini Achari and Anis Pereira, for Applicant.
Mr. Rahul S. Arote a/w. Nikita Gawai and Megha Shelke, for the Applicant in BA/4056/2026.
Mr.H.J. Dedhia, APP for Respondent–State in BA/3963/2026.
Ms.K.T. Hiwrale, APP for Respondent–State in BA/4056/2026.
Mr. Tushar Mane, ANC, Crime Branch, Navi Mumbai, present.

CORAM: SHYAM C. CHANDAK, J.
DATED : 22nd OCTOBER, 2026

P.C. :-

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

2. Applicants seeks their release on bail in Special Case No. 173 of 2026, arising out of Cr. No. 342 of 2026, registered with Turbhe Police Station, Navi Mumbai, for the offences punishable under Sections 8(c), 20(b)(ii)(a), 21(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ("NDPS Act").

3. The prosecution case is that, acting on a secret information, on 10.07.2026, at about 22:00 hours, a team of Turbhe Police Station conducted a raid at certain hotel, which resulted in the seizure of 294 grams of hydro ganja and 5 gms. of Cocaine from the possession of Abdul Rauf Zarin (A1) and seizure of 354 grams

SANJAY ASARAM MANDAWGAD Digitally signed by SANJAY ASARAM MANDAWGAD Date: 2026.10.26 17:55:33 +0530

of Hydro ganja from Mitul Mankure (A2). Said contraband was supplied by accused Ayan Shaikh. Therefore, Ayan Shaikh was arrested and 203 gms of ganja was seized from him. Further investigation revealed the involvement of the applicants and several other accused. The ganja was procured from Thailand. Applicants Neeraj Shaha (A6) and Akshay Nair (A8) were found in possession of 4 and 10 grams of hydro ganja, respectively. Therefore, the accused persons came to be arrested. Upon completion of investigation, police submitted the charge-sheet. The Special Court declined to release the applicants on bail.

4. Considering the material on record and the submissions of Mr. Dedhia and Ms. Hivrale, both learned APP, there is a *prima facie* case against the applicants that, at the relevant time, they had possessed and dealt with ganja as above. Both the learned APP have submitted that 9 accused was wanted in this case. The investigation is going on. Therefore, bail be refused.

However, it cannot be brushed aside that the ganja found in the possession possession of the applicant was of small quantity. Although the offence alleged pertains to an intermediate quantity of ganja, it is based on the collective weight of the ganja found in the possession of all the accused. The applicants have no criminal antecedents. They are not likely to repeat the offence, abscond and tamper with the prosecution evidence.

5. In view thereof, both the applicants are entitled for bail. Hence, following Order:

(i) Applicants- Neeraj Navinbhai Shaha and Akshay Satishkumar Nair be released on bail in the aforesaid Cr. No. 342 of 2026, registered with Turbhe Police

Station, Navi Mumbai, on their each executing a P.R. Bond in the sum of Rs.50,000/- each, with one or two sureties each in the like amount.

(ii) The applicants shall mark their attendance at Turbhe Police Station, on 1st day of a month, every three months, between 11.00 am to 2.00 pm, till the conclusion of the trial.

(iii) The applicants shall regularly attend the proceedings before the jurisdictional Court unless exempted for reasons to be recorded.

(iv) The applicants shall not tamper with the prosecution evidence and shall not directly or indirectly influence upon the prosecution witnesses to prevent them from deposing against him.

(v) On being released from jail, the applicants shall furnish thier contact numbers and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(vi) The applicants shall not indulge in identical activities for which they have been arraigned in this case.

(vii) It is clarified that any observation made in the present Order are for the purpose of deciding the present Bail Application. The trial Court shall decide the said case uninfluenced by said observations.

6. Bail Application stands disposed of in aforesaid terms.

(SHYAM C. CHANDAK, J.)