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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1120 OF 2025

Pravin Ankush Chavan

...Applicant

V/s.

State of Maharashtra

...Respondent

Mr.Taraq Sayed with Mr.Anish Pereira with Mr.Aryan K. Kotwal
i/b Mr.Taraq Sayed for the Applicant.

Ms.Veera Shinde, APP for the State – Respondent.

Mr.R.R. Nikam, PSI attached to A.N.C. Crime Branch Thane City
is present in Court.

CORAM : R.M. JOSHI, J.
DATE : 21ST APRIL, 2026.

P.C. :-

1. The Applicant seeks bail in connection with Crime
No.75 of 2021 registered with Anti Narcotic Cell, Mumbai for
the offences punishable under Sections 8(c) read with 22(c) and
29 of the Narcotic Drugs and Psychotropic Substances Act, 1985
(N.D.P.S. Act).

2. In short, it is the case of the prosecution that on 4th March, 2023 information was received with regard to the present Applicant coming to a particular place along with contrabands. The said information was reduced in writing and was communicated to the superior officer. Trap was led. The Applicant was apprehended. After issuance of notice under Section 50 of the NDPS Act, his personal search was taken. During the search, he was found in possession of 60.6 gram of M.D. The interrogation with him led to the recovery of 82.5 gram of M.D. from his house. Samples were drawn before the Magistrate. On conclusion of the investigation, chargesheet is filed.

3. Learned counsel for the Applicant submits that there are material inconsistencies in the record creating serious doubt about the correctness of the case of the prosecution. In this regard, he drew attention of the Court to the FIR, wherein the recoveries are shown as Exhibit "I" and "TH" whereas in the panchanama and other record, there are referred as "A" and "B". It is further argued that there is difference in the signature of

the P.I. of the concerned police station in the communication made by him and communication of information received by him. Similarly, it is argued that there is no signature of the accused on the inventory panchanama which indicates that the samples were not drawn in his presence. On these amongst others, he seeks bail.

4. Learned APP opposed the application by contending that the commercial quantity of contraband which is confirmed to be M.D. in view of the C.A. report has been seized from the present Applicant. In so far as the discrepancy about exhibit number, it is her contention that on account of font error, the said discrepancy has caused. She further claims the alleged discrepancy in conducting the panchanama under Section 52-A of the NDPS Act is explainable during the trial.

5. Prima-facie perusal of the record indicates that the information received was duly recorded and communicated to the immediate superior officer. Thus there is compliance of Section 42 of the NDPS Act. Similarly, there is no dispute made with regard to the fact that Section 50 of the NDPS Act is also

duly complied with. Thus the mandatory provisions of the Act since being complied, there remains the other issues such as discrepancy in the signature of the police officer and non-appearance of the signature of the Applicant on the inventory panchanama.

6. At this stage, this Court is not expected to compare the signatures of the police and record any finding about the discrepancy being found therein. Similarly, the inventory panchanama and drawing up sample has been done in the presence of the Magistrate. As such these aspects are well explainable during the trial.

7. Having regard to the commercial quantity of the contraband has been seized from the Applicant in order to seek bail. The Applicant has to pass the test of twin conditions. In the interest of justice, the Applicant fails to do so. Hence the bail application is rejected.

(R.M. JOSHI, J.)