

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1836 OF 2025**

Premprakash Parasnath Singh ...Applicant
Versus
State Of Maharashtra _____...Respondent

Mr. Atul Sarpande *a/w Nilesh Bangar, Kamlesh Satre, for the Applicant.*

Ms. Megha S. Bajoria, *APP for the State-Respondent.*

PI – Santosh Salunkhe, *ANC Worli, Crime Branch, Mumbai, is present.*

CORAM DR. NEELA GOKHALE, J.
DATED: 16th FEBRUARY 2026

PC:-

1. The Applicant seeks his release on bail in connection with FIR No.25 of 2022 dated 29th March 2022 registered with the Anti Narcotic Cell (ANC), Worli Unit, Mumbai for the offences punishable under Sections 8(c), 22(c), 25, 27-A and 29 of the Narcotic Drugs and Psychotropic Substances, Act, 1985 ('NDPS Act' for short).

2. There are in all twelve accused. The present Applicant is Accused No.5.

3. While on patrolling duty, the police officials of the ANC, Worli found and arrested Accused No.1. Accused No.1 was interrogated and he revealed the name of Accused No.2. Accused No.2 led to the arrest of Accused Nos.3 and 4. According to Mr. Atul Sarpande, learned counsel for the Applicant, nothing was recovered from Accused No.4. However, at his behest and disclosure of Accused No.4, 701 kgs of Mephedrone was recovered from a godown at Nalasopara. The present Applicant had revealed that he used to purchase the Mephedrone from the said godown from Accused No.5. Thereafter, the rest of the accused were roped in by the ANC. The present Applicant also revealed the information referring at Ankleshwar, Gujarat. which was run by one Chintan Panseriya, co-accused. Thus, the present Applicant was arrested on 3rd August 2022.

4. On completion of investigation, the final report under Section 173 of the Code of Criminal Procedure, 1973 was filed before the Sessions Court, Mumbai as Special Case No.1219 of

2022. When the Ankleshwar Police visited the factory premises on 16th August 2022, a large quantity of contraband goods was seized from the premises. Accordingly, the Applicant and the Co-accused were arrested on various dates. From the factory owned by Accused No.8, a total of 2428 Kgs of MD was recovered from all the accused, the value of which is determined to be approximately Rs. 4,857 crores.

5. The Applicant made an application seeking bail before the Special Judge (NDPS), City Civil and Sessions Court, Gr. Mumbai. However, by order dated 25th September 2023, the said application was rejected. Hence, the Applicant is before this Court seeking the relief as prayed.

6. Heard Mr. Atul Sarpande, learned advocate appearing for the Applicant and Ms. Megha Bajoria, learned APP representing the State.

7. At the very outset, Mr. Sarpande tendered an order dated 28th January, 2026 passed by the Supreme Court in the

matter of *Chintan Panseriya v. State of Maharashtra*¹. He submitted that while this Court had rejected the bail application of the co-accused Chintan Panseriya by order dated 13th November, 2025, on merits, the Supreme Court in an SLP, assailing the judgment of this Court, has enlarged said Chintan Panseriya on bail on the basis of long incarceration suffered by him and a delayed trial. The said order is taken on record.

8. Ms. Megha Bajoria, learned APP, submits that there is an antecedent insofar as the present Applicant is concerned. The Applicant was already in custody in C.R. No.39 of 2022 registered with the NCB unit. The Applicant is in custody in that C.R. as on date. During the pendency of his custody in the present case, he was also arrested in connection with the previous C.R. i.e. C.R. No. 39 of 2022. However, insofar as the present C.R. is concerned, the Supreme Court in the case of *Chintan* (Supra), has observed as under:

1 SLP (Crl.) No. 439 of 2026.

“4. It appears that on 16-1-2026, charge came to be framed. The matter is now kept on 30-1-2026 for the purpose of compliance with the provision of Section 294 of the Code of Criminal Procedure, 1973.

5. We do not undermine the seriousness of the alleged crime. We are mindful of the fact that the prosecution is for the offence punishable under Narcotic Drugs and Psychotropic Substances, Act, 1985. At the same time, we should not overlook the fact that the 3 petitioner is in judicial custody as an under-trial prisoner past 3 years and 6 months and prosecution intends to examine as many as 159 witnesses. Examination of 159 witnesses or even 50% of the same is going to take a pretty long time. At times, we wonder why prosecution wants to examine so many witnesses and thereby prolong the trial and delay the same. We have observed in number of orders that the prosecution should examine important witnesses and try to establish its case. There is no point in multiplying the witnesses on one and the same issue.

6. Be that as it may, since the Special Public Prosecutor could be said to be In-charge of the trial, we have to leave it to his better discretion.

7. The learned counsel appearing for the petitioner has manifold contentions to raise in so far as the

merits of the case is concerned. However, we do not want to go into the merits of these contentions at this point of time.

8. The learned counsel appearing for the petitioner brought to our notice that there are cases almost 10 years old pending in the Trial Court as on date.

9. In the overall view of the matter, we have been persuaded to exercise our discretion in favour of the petitioner.”

9. Thus, a plain reading of the order passed by the Supreme Court indicates that the Court was persuaded to exercise its jurisdiction in favour of co-accused Chintan Panseriya considering the period of his incarceration and the time that will be taken to conclude the trial. The only distinction insofar as Chintan Panseriya and the present Applicant are concerned is that the present Applicant is also in custody in connection with C.R. No. 39 of 2022.

10. Considering the order in the case of ***Chintan*** (supra) passed by the Supreme Court and in view of the principle of

parity, the present Applicant is also enlarged on bail and it is ordered as under:

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.1,00,000/- with one or two local sureties in the like amount;
- ii) The Applicant shall attend the Police Station concerned, on first Monday of every month between 10:00 a.m. and 12:00 p.m. He shall also attend the Trial Court concerned on each and every date as directed, till the conclusion of the trial, save and except if the Applicant is exempted from appearance by orders of the Trial Court.
- iii) The Applicant shall not leave the State of Maharashtra till the conclusion of the trial;

- iv) If the Applicant has not deposited his passport, the Applicant shall deposit the same with the concerned Police Station, if any;
- v) The Applicant shall not leave India, without permission of the trial Court;
- vi) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- vii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- viii) The Applicant to co-operate with the conduct of the trial;

ix) Any infraction of the aforesaid conditions shall entail cancellation of bail.

11. Application is allowed in the above terms and is accordingly disposed of.

12. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

13. It is further made clear that the observations made herein are confined to this Application and the present C.R. only. Ms. Bajoria has informed me that the bail application of the present Applicant in C.R. No.39 of 2022 is pending before the Sessions Court. Needless to say that the Sessions Court to decide the bail application in CR No. 39 of 2022 on its own merits, without being influenced by this order.

(Dr. Neela Gokhale, J)