

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.2004 OF 2025**

Vikas Markandey Singh	...Applicant
<i>Versus</i>	
The Union Of India	...Respondent

Ms. Kaushalya Patil a/w Priyanka Raut, Sagar Parab, Onam
Saurabh and Abhishek Kasare, *for the Applicant.*
Ms. Manisha Jagtap a/w Mayur S. Sonavane, *APP for the*
Respondent - NCB.

CORAM DR. NEELA GOKHALE, J.
DATED: 11TH FEBRUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No. 34 of 2023 dated 19th December, 2023 registered with the NCB, Mumbai Zonal Unit, for the offences punishable under Sections 8(c), 22(c), 23(c), 28 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, '**NDPS Act**').

2. In all, nine accused persons are involved in the present offence. Seven accused have been enlarged on regular bail and two accused have been granted anticipatory bail by the Sessions Court. One accused is absconding. The Applicant is Accused No.1.

3. The brief facts of the case are that the NCB received specific information on 19th December, 2023, regarding a parcel intercepted at the premises of M/s. DHL Express India Pvt. Ltd. Gateway, Anand Engineering compound, Plot No.66 Road No.13, MIDC Andheri (E), Mumbai. The said parcel was to be dispatched to Australia. The name of the sender on the parcel was “Mohd. Yusuf” from Sujanpur, Siddharth Nagar, Uttar Pradesh. Upon opening the parcel, a stainless steel table with two shelves containing two packets purported to be Amphetamine weighing 9.877 Kgs. The officers apprehended the present Applicant and recorded his disclosure statement. The Applicant was arrested on 19th

December, 2023. The Applicant has also named other co-accused.

4. The Applicant filed two successive applications seeking bail before the NDPS Special Judge, City Civil & Sessions Court, Greater Bombay. However, by orders dated 5th June, 2024 and 24th March, 2025, the said applications were rejected. Hence, the Applicant has filed the present Bail Application for the relief as prayed.

5. At the outset, Ms. Kaushalya Patil, learned counsel for the Applicant, has tendered orders granting bail to the co-accused including order dated 15th April, 2025. She submits that on the ground of parity, the present Applicant also deserves to be enlarged on bail. She further submits that there is no material on record linking the Applicant with the person whose name appears as a consignor, namely Mohd. Yusuf, whose name appears on the parcel. She contends that there is nothing on record to suggest or demonstrate the Applicant's complicity in the alleged offence. She further submits that the

Applicant has undergone incarceration of more than two years and, therefore, prays that the Applicant be enlarged on bail.

6. Per contra Ms. Manisha Jagtap, learned Spl. PP for the Respondent – NCB, submits that this is a well-organized and well-oiled cartel engaged in illicit drug trafficking. She contends that it is the Applicant himself who used the name Mohd. Yusuf and his Aadhar Card to dispatch the said parcel. She submits that the maximum punishment prescribed for the alleged offence is twenty years, and incarceration of two years cannot be termed as a long incarceration. She submits that the co-accused have been granted bail on different grounds and that there is no parity between the present Applicant and the co-accused. She thus, prays that the application be rejected.

7. I have heard learned counsel for the respective parties and perused the record of the case with their assistance.

8. I have perused the order dated 15th April, 2025 passed by this Court enlarging the co-accused on bail. The co-accused were granted bail primarily on the ground of long incarceration. The role of the Applicant and the co-accused is also similar. The Applicant is arrested on 19th December, 2023, and till date, charges have not been framed. In these circumstances, it cannot be said that the principle of parity does not apply to the present Applicant. Considering the delay in framing of charges, it is unlikely that the trial will conclude in the near foreseeable future.

9. In view of the aforesaid, I am inclined to enlarge the Applicant on bail. It is accordingly ordered as under:-

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;
- ii) The Applicant shall attend the Trial Court concerned on each and every date unless exempted by the orders of the Trial Court concerned;

iii) The Applicant shall also attend the Police Station concerned once in a month on Monday between 11:00 a.m. to 02:00 p.m., till the charges are framed;

iv) If the Applicant has not deposited his passport, if any, the Applicant shall deposit the same with the Police Station concerned;

v) The Applicant shall not leave India, without the 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 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 Police Station concerned;

viii) The Applicant to co-operate with the conduct of the trial;

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

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

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

(DR. NEELA GOKHALE, J)