

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.2070 OF 2025

Imran Yusuf Shaikh S/O Yusuf Shaikh	...Applicant
<i>Versus</i>	
Union of India and Anr.	...Respondents

Ms. Zehra Charania, with *Ayaz Khan, Dilip Mishra and Mallika Sharma*, for the Applicant.
Ms. Neha M. Patil, for the Respondent No.1-UOI.
Mr. Mayur S. Sonavane, APP for the Respondent-State.

CORAM DR. NEELA GOKHALE, J.
DATED: 30th JANUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with Complaint No. NCB/MZU/CR-25/2022 dated 28th July 2022 registered with Narcotic Control Bureau, Mumbai Zonal Unit for the offences punishable under Section 8 (c), 20(b)(ii)(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution, in brief, is that, on information received from the secret source, the officials of the NCB conducted a raid on the highway and 2 cars were intercepted. One car was driven by the Accused Nos.3 and 4 and another car was driven by Accused Nos.1 (Applicant herein) and 2. The cars were intercepted and after complying with the various provisions under the NDPS Act, the contraband was recovered from the said cars. All the compliances were made under the NDPS Act and the Applicant was arrested on 28th July 2022. It is the case of the prosecution that 80 kilograms of *Ganja* was recovered from the car in which the present Applicant was found.

3. The Applicant filed an application seeking bail before the Additional Sessions Judge, Bhiwandi. However, by an order dated 10th February 2025, his bail application came to be rejected. Hence, the Applicant is before this Court for the reliefs as prayed.

4. At the very outset, Ms. Zehra Charania, learned counsel appearing for the Applicant, tendered an order dated 2nd May 2025 passed by the Supreme Court in Special Leave Petition (Crl.) No. 3177 of 2025 filed by the Co-accused, i.e., Accused No. 3, who was driving the first car. Admittedly, 110 kilograms of Ganja was recovered from the car driven by the Co-accused. Having considered the period of incarceration already undergone by the Co-accused, the Supreme Court had enlarged the Co-accused on bail.

5. Heard Ms. Neha Patil, learned counsel appearing for the Respondent No.1- Union of India (NCB).

6. Heard learned counsel appearing for the respective parties and perused the record with their assistance.

7. Although 80 kilograms of *Ganja*, which is commercial quantity, recovered from the car driven by the present Applicant (Accused No.1), his role is identical to that of the

Co-accused (Accused No.3), who is enlarged on bail by the Supreme Court.

8. In these circumstances, considering long incarceration of the Applicant and the fact that charges have been framed but the evidence of the prosecution has not yet commenced, 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 Narcotic Control Bureau, Mumbai Zonal Unit once in a month on first Monday between 11:00 a.m. to 02:00 p.m.;
- 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.

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

10. 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)

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