

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.2312 OF 2025**

Affan Naved Ansari	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Ms. Sumaiya N. Khan a/w Ms. Munira Palanpurwala, *for the Applicant.*

Ms. Anuja S. Gotad, *APP for the Respondent - State.*

PSI – Kulkarni, D.C.B. C.I.D., Unit – 2, Mumbai, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 07TH JANUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No.53 of 2024 dated 1st September, 2024 registered with the DCB CID, Unit - 2, Mumbai, for the offences punishable under Sections 8(c) r/w 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short '**NDPS**'). In all there are two accused persons involved in the present case. The co-accused has been enlarged on bail by the Sessions Court.

2. The brief facts of the case are that while police officials of the DCB CID Unit – 2 were on patrolling duty, they noticed the Applicant and the co-accused lurking in suspicious circumstances. Upon apprehension and search, 51.50 grams of Mephedrone (MD) was recovered from the present Applicant. After following the due procedure prescribed under the NDPS Act, the seized substance was sent to the Forensic Science Laboratory (FSL), which tested positive for MD. Consequently, the FIR was registered, and the Applicant was arrested on 1st September, 2024.

3. The Applicant made an application seeking bail before the Special Judge (NDPS), City Civil and Sessions Court, Greater Mumbai, however, by order dated 15th May, 2025, the said application was rejected. Hence, the Applicant has filed the present Bail Application for the reliefs as prayed.

4. Ms. Khan, learned counsel for the Applicant, submits that the Panchanama reflects the weight of the seized contraband, including the plastic pouch, as 51.50 grams. She,

however, points out a discrepancy in the Inventory Panhanama, which indicates the quantity of MD to be 52 grams. She further submits that while the colour of the powder is noted as white in the Panchanama, the CA report describes it as a brownish powder. She therefore contends that there is a discrepancy in the contraband recovered from the Applicant as it is reflected in the CA report.

5. She submits that the Applicant has no criminal antecedents, he has been incarcerated for 1 year and 4 months, and that the charges have not yet been framed. Hence, there is no likelihood of the trial concluding in the near foreseeable future. Thus, she prays that the Applicant be enlarged on bail.

6. Ms. Gotad, learned APP representing the State, submits that there is no discrepancy in the weight or quantity of the contraband recovered. She submits that the quantity of Mephedrone recovered from the possession of Applicant, alongwith the plastic pouch, was 51.50 grams. The said

contraband, along with the pouch, was placed in a green coloured envelope weighing 74 grams. She further submits that the white coloured powder slightly changed, which is reflected in the CA report, to brown. She submits that this is not a significant discrepancy. She thus, prays that the Application be rejected.

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

8. Admittedly, the Applicant is 19 years of age and has been in custody since 1st September, 2024, having already undergone incarceration for 1 year 4 months. The quantity of contraband recovered from the possession of the Applicant was 51.50 grams, including the plastic pouch. The commercial quantity of Mephedrone is 50 grams. It is likely that the plastic pouch containing powder would weigh approximately 1 to 2 grams. There are no criminal antecedents against the Applicant.

9. In these circumstances, 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 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)