

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 3276 OF 2025

Ketan Pravinchand Shah

...Applicant

VERSUS

The Union Of India And Anr

...Respondents

Mr.Akshay Bankapur, for the Applicant.

Ms.Manisha Jagtap, SPP, for Respondent No.1.

Mr.S.R. Agarkar, APP for Respondent No.2-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 28th APRIL 2026P.C. :

. Heard learned counsel for the Applicant, learned APP and learned SPP for Respondent No.1.

2. The learned SPP tendered written submission, it is taken on record.

3. By this Application, the Applicant is seeking regular bail in Crime No.NCB/MZU/CR-30/2023 registered with Narcotics Control Bureau, Mumbai, for the offences punishable under Sections 8(c) read with Section 20(b)(ii)(c), 28 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, ('NDPS' for short).

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4. It is prosecution's case that on 4th November 2023, on the basis of secret information, the NCB team apprehended the Applicant and co-accused. In the possession of the Applicant, police found 22.9 kg ganja.

5. It is contention of learned counsel for the Applicant that no proper notice under Section 50 of the NDPS was given to the Applicant. This Court (Coram: N.R. Borkar, J.) has released co-Accused Rita Ketan Shah on bail on the ground of violation of Section 50 of the NDPS Act. The learned counsel further submitted that the Applicant was aware of Marathi and Hindi language but notice under Section 50 of the NDPS Act was given in English language. The Applicant is behind bars for more than two years and six months, and requested to allow the Application.

6. It is contention of learned SPP that commercial quantity of ganja is found in the possession of the Applicant. There is compliance of the Section 150 of the NDPS Act. If the Applicant released on bail, he may abscond or threaten prosecution witnesses, and requested to reject the Application.

7. I have heard both learned counsel. Perused charge-sheet and documents produced on record.

8. The notice given to the Applicant under Section 50 of the NDPS was in English language. In seizure panchnama, it is mentioned that when

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the Investigating Officer inquired with the Applicant, he stated that he knows Marathi and Hindi language, in spite of that, notice under Section 50 of NDPS was given in English language. The Applicant does not know English language. This Court (Coram: N.R. Borkar, J.) has released co-Accused Rita Shah on same ground.

9. Considering these facts, the Applicant is entitled for bail on principle of parity and I pass following order.

ORDER

- (i) The Applicant be released on bail in Crime No.NCB/MZU/CR-30/2023 registered with Narcotics Control Bureau, Mumbai, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iii) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (iv) The Applicant shall attend the concerned Police Station as and when required.
- (v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)