

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3608 OF 2025**

Lilu Pradhan @ Nilu Suhas Pradhan	...Applicant
<i>Versus</i>	
The Union of India and Anr.	...Respondents

Mr. Kamlesh M. Satre, *for the Applicant.*
Ms. Manisha S. Jagtap, *Spl. PP for the Respondent No.1 – NCB.*
Ms. Poonam P. Bhosale, *APP for the Respondent No.2 – State.*

CORAM DR. NEELA GOKHALE, J.
DATED: 17TH FEBRUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R. No.23 of 2024 dated 23rd October, 2024 registered with the Narcotics Control Bureau (NCB), Mumbai Zonal Unit, Mumbai, for the offences punishable under Sections 8(c) read with Section 20(b)(ii)(C), 27(a), 28 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS'). In all there are five accused persons involved in the present offence. The applicant is Accused No.4.

2. The brief facts of prosecution the case are that the officials of NCB Zonal Unit, Mumbai received intelligence that two persons namely Deepak Biswal and Samir Kanhar were traveling in a bus, coming from Odisha heading to Mumbai, carrying substantial quantity of ganja. Acting on the said information, the NCB officials intercepted the bus. After complying with the mandatory provisions of the NDPS Act, searched the bus and the accused and recovered 48 Kgs of ganja. Both the Accused Nos.1 and 2 were arrested. Upon further investigation of these two accused, Deepak Biswal revealed the name of Accused No.3 namely, Prashant Nayak as the person who was to receive the said contraband. Based on this information, the said statement, Accused No.3 Prashant Nayak was arrested who in turn revealed his involvement in procurement, transport and selling of ganja. On a disclosure statement of Accused No.3, the present Applicant was arrested.

3. Mr. Satre submits that nothing was recovered from either the person of the Applicant or from his premises. He further submits that the Applicant was arrested since he was in touch with other accused. The investigation revealed certain UPI and bank transactions. The Applicant was arrested on 3rd November 2024 and is in jail since then. No charges are framed till date. He thus, prays that the Applicant be enlarged on bail.

4. Per contra, Ms. Jagtap, learned Spl. PP brought to my attention the averments made by the Sub-inspector, NCB, in his affidavit dated 4th December, 2025 affirmed before the Notary Public. She submits that since the Applicant's name was revealed by Accused No.3 - Prashant Nayak, as being supplier of ganja to various customers, he is implicated in the alleged offence. She further brings to my attention the bank transactions which reveal that he has deposited cash in his own account. According to Ms. Jagtap, this clearly establishes his role as a distributor of ganja, procured from other accused

for cash, which he deposited in his own account. In these circumstances, Ms. Jagtap resists the bail.

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

6. Admittedly, no contraband was recovered from the present Applicant nor from his premises. The Applicant was arrested on 3rd November 2024 and has suffered incarceration for one year and three months without the charges being framed. Save and except bank statement showing cash deposits made in his account by Applicant himself, there is no link to the said amount to drug related offence. In these circumstances and in the facts of the present case, *prima facie* there is a reason to believe that the Applicant has not committed the alleged offence. Moreover, there are no antecedents against the present Applicant, it is unlikely that he would commit a similar offence if released on bail.

7. Hence, 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.;
- iv) If the Applicant has not deposited his passport he 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.

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

9. 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)