

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

BAIL APPLICATION NO. 4196 OF 2025

Khushal Ravindra Sherigar

...Applicant

Versus

State of Maharashtra

...Respondent

**Mr. Taraq Sayed a/w Mr. Anish Pereira a/w Mr. Aryan
Kotwal, for the Applicant.**

Ms. Megha Bajoria, A.P.P. for the Respondent – State.

P.I. Sandip Nigade, ANC, Navi Mumbai

CORAM DR. NEELA GOKHALE, J.

DATED: 13TH JANUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R. No. 201 of 2025 dated 15th April, 2025 registered with the Nerul Police Station, for the offences punishable under Sections 8(c), 20(b)(ii), (A), (B), 23(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short NDPS Act, 1985).

2. There are in all 26 Accused. The present Applicant is Accused No. 13 in the said C.R.

3. The case of the Prosecution, in brief, is that on 14th April, 2025 at about 8:30 p.m., in the residential house of the co-accused Ashish Gaware at Sector 15, Nerul, co-accused Ashish Gaware, Ahmed Aulgy and Akash Maurya were weighing and packing hydro Ganja. The Police, on secret information, were investigating the offence in the said C.R. and came to the house of the co-accused, Ashish Gaware. Upon arrival of the Police, the co-accused, Akash, fled from the said spot. However, Police were successful in catching co-accused, Ashish and Ahmed. 17.19 grams of imported Ganja and 1.15 kilogram of Ganja was recovered from them. After following the due process of law and complying with various provisions of the NDPS Act, 1985, upon further investigation, the Investigating Agency were able to expose a Drug Cartel and arrested around 26 people. The Applicant was arrested on 10th May, 2025.

4. It is alleged by the prosecution that the Applicant and his associate ordered 3 Kilograms of hydro Ganja from the

USA through the Dark Web, out of which, 56 Grams of hydro Ganja was recovered from his car namely, Tata Harrier. During the search of his sister Shweta Shetty's house, 2.640 grams of hydro Ganja was recovered. There are certain photographs of hydro Ganja in his Whatsapp messages on his mobile phone.

5. The Applicant made a Bail Application before the Additional Sessions Judge, Belapur. However, by order dated 31st October, 2025 the said Application was rejected. Hence, the Applicant is before this Court seeking the reliefs as prayed.

6. Mr. Taraq Sayed, learned Counsel appearing for the Applicant, submits that the quantity recovered from the present Applicant is intermediate quantity; except from the quantity of Ganja recovered from his car, there is no material on record to indicate his complicity in the C.R. Mr. Sayed also submits that apart from the statement of the co-accused and one witness who states that he has purchased 2 grams of Ganja for Rs. 2,000/- from the present Applicant there is

nothing to connect him with the alleged international drug cartel. He thus prays that the Applicant be released on Bail.

7. Ms. Megha Bajoria, learned A.P.P. points to the statement of the witness who has stated that he had purchased 2 grams of Ganja from the present Applicant for Rs. 2,000/-. She has also pointed to the statement of another witness namely, Vishal Bind who has stated that he was aware that the present Applicant was purchasing hydro Ganja by using crypto currency. She also points to a statement of one Mayur Baban Garad, who is the Post Master in the Vashi Post Office, who said that there were some parcels received in the name of the present Applicant but he does not know what were the contents of the said parcel. She also submits that there is a statement of the sister of the Applicant who has also stated that she was not aware that there was any contraband concealed in her house by the present Applicant but the same was recovered by the Police. In fact, the said contraband was recovered as the Applicant himself had confessed to the Police

regarding concealing the said Ganja in his sister's house. She submits however that there are no antecedents against the present Applicant and the quantity recovered from him is intermediate. Ms. Bajoria thus prays that the Application be rejected.

8. I have heard the parties and gone through the material with their assistance.

9. Admittedly the contraband recovered from the present Applicant is of intermediate quantity. Apart from the statements of 3 Witnesses that they were told by the Applicant himself that he deals in Ganja, there is no material on record to indicate his complicity in the said offence. Undoubtedly, there is a statement of a witness who says that he has purchased Ganja from him, however, the said witness has categorically stated that he has purchased only 2 grams of Ganja for Rs. 2000/- from the present Applicant. The said quantity being of intermediate quantity the rigors of Section 37 will not apply. There is no other material save and except

the statements of witnesses as mentioned aforesaid to demonstrate complicity of the present Applicant in the alleged offence.

10. 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, in case any such complaint is made by any witness regarding intimidation or threat given by the Applicant to them pertaining to their testimony in the present CR will be a ground for cancellation of Bail.

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.

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

12. 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)