IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.4780 OF 2025

Suraj Rajpal Pathak ...**Applicant**
Versus
State of Maharashtra ...**Respondent**

Mr. Taraq Sayed a/w Ashiwinii Achari and Anish Pereira*, for the Applicant.*
Ms. Megha S. Bajoria*, APP for the Respondent - State.*
PI – Sandeep Nigade, ANC, Navi Mumbai, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 25TH FEBRUARY 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, 2026 registered with the Nerul Police Station, for the offences punishable under Sections 8(c),20(b)(ii), 29, 21(a), 23(a), 27A and 59(2) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short '**NDPS**') and Sections 338, 336(3), 340(2), 255 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 ('**BNS**'). The Applicant is charged with Sections 23(a), 23(b), 27A and 29 of the NDPS Act, 1985.

2. The brief facts of the case are that there are in all 26 accused involved in the present offence. The Applicant is Accused No. 22. The Applicant is stated to be a superior official in the Post Office, New Delhi. The Applicant misused his post and facilitated import of a parcel alleged to contain contraband from foreign shores and clearing and delivering the said parcel to one Kamal Chandwani. He is also alleged to have accepted money for the same in his bank account. The prosecution alleges that the parcel contained Hydro Ganja which is a narcotic substance. The Applicant was arrested on 22nd July, 2025.

3. The Applicant made an application seeking bail before the Additional Sessions Judge, Belapur. However, by order dated 14th October, 2025, the said application was rejected. Hence, the Applicant has filed the present Application for the relief as prayed.

4. Mr. Sayed, learned counsel for the Applicant, submits that there is no incriminating material against the

present Applicant. He further submits that no contraband was recovered from the present Applicant and that there is no other material on record to connect the present Applicant with the alleged offence. He further submits that the role attributed to the Applicant is to receive money on behalf of his employer for clearing Hydro Ganja parcels coming from the foreign shores. He submits that there are no criminal antecedents against the Applicant. Hence, he prays that the Applicant be enlarged on bail.

5. Ms. Bajoria, learned APP representing the State, brought to my notice the bank account statement of the Applicant. The Applicant has received amount of Rs.5,90,000/- from the Company-Food Coma, which is said to belong to co-accused-Chandwani. She also points to a statement of an independent witness who has told the police that the he was aware that the Applicant is indulged in facilitating clearance of parcels imported from abroad and delivery of the same, for which he also accepted money. She

submits that there is ample material on record against the Applicant to connect him with the alleged offence. She, therefore, prays that the application be rejected.

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

7. Admittedly, there is no recovery of any contraband from the present Applicant. The only material available against him are the statements of persons who have stated that they are aware that the present Applicant has facilitated in clearance of imported parcels and delivered them to the recipient for money. Hence, there is reason to believe that the Applicant may not have committed the alleged offence and it is unlikely that he will commit any offence of similar nature, if released on bail. The Applicant was arrested on 22nd July, 2025, and the charges are not framed as on date. Considering the number of accused in the alleged offence, it is not likely that the trial will conclude in the near foreseeable future, 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 a 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. The Bail 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)