

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 4852 OF 2025

Mohammad Haji ... Applicant

Versus

Union of India & Anr. ... Respondents

NILAM
SANTOSH
KAMBLE

Digitally signed
by NILAM
SANTOSH
KAMBLE
Date: 2026.02.16
15:48:21 +0530

Mr.Tohid Shaikh a/w Mr.Rahul Jaiswar i/b Rafique Gori, for the Applicant.

Mrs.Manisha Jagtap, for Respondent No.1-NCB.

Mr.B.B. Kulkarni, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th FEBRUARY 2026

P.C.:

1. By this application, the Applicant is seeking regular bail in Crime No.23 of 2022 registered with NCB Mumbai, for an offence punishable under Section 8 (c) read with Sections 20(b)(ii)(c), 28 and 29 of the Narcotic Drugs and Psychotropics Substances Act, 1985.

2. It is prosecution's case that the Applicant came to be arrested by NCB Team on specific information that two persons were carrying substantial quantity of ganja in Ford Fiesta vehicle. Accordingly, the

N.S.Kamble

vehicle was intercepted near Patas Toll Plaza, and upon searching the car, 286 kgs. of Ganja was found in the car's dickey, packed in multiple packets. It is alleged that the Applicant was driving the said car.

3. It is contention of learned counsel for the Applicant that co-accused having similar allegations like the Applicant has been released on bail. Hence, the Applicant is entitled for bail on principle of parity and requested to allow the Application.

4. It is contention of learned SPP that, the Applicant is not entitled for principle of parity. The role attributed to the Applicant is on higher footing than the co-accused. The Applicant had carried the contraband in the car. If the Applicant released on bail, he may abscond or threaten prosecution witnesses, and requested to reject the Application.

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

6. The co-accused Abdul Vadud against whom similar allegations are levelled, like the Applicant is released on bail. Hence, the Applicant is entitled for bail on principle of parity and I pass following order.

N.S.Kamble

ORDER

- (i) The Applicant-Mohammad Haji, be released on bail in Crime No.23 of 2022 registered with NCB Mumbai, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (iii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iv) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (v) The Applicant shall attend the concerned Police Station as and when required.
- (vi) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)