

Navnath Waghmare (RA)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 206 OF 2026

Aftab Abdulla Shaikh Urf Abbu

...Applicant

Versus

The State Of Maharashtra

...Respondent

Mr. S.Z. Khalib for the Applicant.

Ms. S.D. Shinde APP for the Respondent-State.

Mr. Amol Rajabhau Chate, PSI, Trombay Police Station, Mumbai

CORAM: R. M. JOSHI, J.

DATED: 24th MARCH, 2026

PC:-

1. This application is for bail in connection with CR No.510 of 2024 registered with Trombay police station, Mumbai for the offence under Section 8(c), 22(c) and 29 of the NDPS Act 1985.

2. It is the case of the prosecution that while on patrolling duty, the police apprehended accused no.1 and found in possession of 64 grams of Mephedrone (MD). After his arrest, he disclosed names of the co-accused, including the present applicant. The applicant came to be arrested on receipt of the said information from the co-accused.

3. Learned counsel for the applicant submits that similarly placed accused i.e. accused no.3 is enlarged on bail by this court vide order dated 03.12.2025 passed in Bail Application bearing no.2961 of 2025. It is his submission that considering the exactly same role attributed to the applicant and co-accused, he is entitled for bail.

4. Learned APP opposed the application by citing seriousness of the crime.

5. *Prima-faice*, perusal of the record indicates that there is no recovery at the instance of the present applicant. The involvement of the applicant is alleged on the basis of statement of co-accused so also Whatsapp chat between them. similar is the allegation against accused no.3. Thus no distinction could be made in the role attributed to both.

6. Have regard to the said fact applicant has no criminal history behind him, there is no justification not to apply party in the present case.

7. Hence, the following order:

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 on first Monday between 11:00 a.m. to 02:00 p.m.;
- 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;
- 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 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.

(R. M. JOSHI, J.)