

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.234 OF 2026**

Bharat Pradeep Joshi

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Gaurav Lele a/w Prashant Kamadi and Rachel Nadar, *for the Applicant.*

Ms. Gauri S. Rao, *APP for the Respondent - State.*

PSI – Kishor Pawar, Kasa Police Station, District Palghar, present.

**CORAM DR. NEELA GOKHALE, J.
DATED: 26TH FEBRUARY 2026**

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R. No. 141 of 2025 dated 8th October, 2025 registered with the Kasa Police Station, District Palghar, for the offences punishable under Sections 8(c), 22(B) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short '**NDPS**').

2. The brief facts of the case are that, while the police officials were on patrolling duty the noticed two accused lurking in suspicious circumstances. Upon questioning, the man disclosed his name as Bharat Pradeep Joshi and the woman herself to be Vidya Sarvankar. Upon their personal search, 11.530 grams of Mephedrone was recovered from Vidya and quantity of 3.290 Mephedrone was recovered from the present Applicant. The Applicant is Accused No.1. Pursuant to registration of the FIR, the Applicant came to be arrested on 9th October, 2025.

3. The Applicant made an application seeking bail before the Additional Sessions Judge, Palghar. However, by order dated 8th January, 2026, the said application was rejected. Hence, the Applicant has filed the present Bail Application for the relief as prayed.

4. Mr. Lele, learned counsel for the Applicant, at the outset, brings to my attention the Inventory Panchanama in which the quantity of Mephedrone recovered from the

Applicant without any packaging was 1.92 grams. He submits that the said quantity recovered from the Applicant falls within small quantity and maximum sentence prescribed for the same will be one year. The Applicant was arrested on 9th October, 2025, and has undergone incarceration for the past four months. He further submits that the police officials have violated the safeguards of Section 50 of the NDPS Act and the Applicant was pressurized to sign the notice. Moreover, the contraband was weighed on an electronic scale by some jeweler. He submits that the Applicant is not guilty of the alleged offence and prays that the Applicant be enlarged on bail.

5. Ms. Rao, learned APP, brought to my attention the a statement of witness who stated that co-accused – Vidya clearly told him that they had possession of Mephedrone. She further submits that the Applicant is in incarceration only for the past four months and the maximum sentence for the alleged offence would be 10 years. Hence, the period of

incarceration undergone by the Applicant cannot be termed as long incarceration. She submits that 3.290 grams of Mephedrone was recovered from the Applicant and not 1.92 grams as alleged. She, therefore, prays that the Bail Application be rejected.

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

7. The Inventory Panchanama indicates that the quantity of Mephedrone without packaging was 1.92 grams, which is a small quantity and not an intermediate quantity nor commercial quantity. The Applicant has undergone four months incarceration and the maximum sentence for the said offence is one year. There are no criminal antecedents against the Applicant.

8. Considering the aforesaid, 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, 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.

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

10. 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)