

Shivgan

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 301 OF 2026

Faheem Vasim Khan	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondents

Ms. Munira Palanpurwala, with Sumaiya Khan, Deepa Amati i/b
Rumman Shaikh, Tamash Shaikh, for the Applicant.
Mr. Mayur S. Sonavane, APP for the Respondent-State.
Mr. Kothmire, PI attached to Dongri Police Station, present.

CORAM: R. M. JOSHI, J.
DATED: 5th MAY, 2026.

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with Crime No. 496 of 2024 dated 16th December 2024 registered with the Dongri Police Station, Mumbai for the offences punishable under Sections 8(c), 21(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. There are in all six accused persons and the Applicant is Accused No.3. The case of the prosecution, is that, the Police while on patrolling duty, apprehended Accused No.1, Imran Yakub Shaikh and arrested him on 17th December 2024. 940 grams of Cocaine was recovered from the said Accused. The Applicant was

implicated in the said offence since he is said to be a relative of the main accused and he was always seen in the company of the main Accused and Co-accused in the said offence.

3. Learned counsel for the Applicant submits that amongst other contentions, the Applicant is entitled for bail on the ground of parity as Co-accused Altaf Iqbal Shaikh @ Altaf Baba has been granted bail on 11th December 2025 in Criminal Bail Application No. 4624 of 2025, is attributed exactly similar role as that of the present Applicant.

4. The learned APP opposes the Bail Application by citing seriousness of the crime so also, the other evidence on record.

5. *Prima-facie*, perusal of the charge-sheet indicates that the role attributed to the present Applicant is identical to the Co-accused Altaf Iqbal Shaikh @ Altaf Baba, who has been enlarged on bail by order dated 11th December 2025 passed in Criminal Bail Application No. 4624 of 2025. Except for the statement of Co-accused, which is not admissible in evidence, there is no other evidence in order to show the complicity of the present Applicant in this crime. Additionally, the Applicant has no criminal history behind him and is not likely to flee from justice, if released on bail. This Court therefore, finds no reason not to apply the principle of parity against the Applicant. Hence, 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 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;
- 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.

6. The Bail Application is allowed in the above terms and is accordingly disposed of.

7. 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.

(R. M. JOSHI, J.)

SHAMBHAVI
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