

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.375 OF 2026**

Mohd Soheb Ismail Mahida	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Ms. Zehra Charania a/w Ayaz Khan, Dilip Mishra and Mallika Sharma, *for the Applicant.*
Mr. Mayur S. Sonavane, *APP for the Respondent - State.*
PSI – Sankalp Mokal, V.P. Road Police Station, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 03RD FEBRUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No. 584 of 2025 dated 26th April, 2025 registered with the V.P. Road Police Station, District: Mumbai, for the offences punishable under Sections 8(c) read with Section 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS').

2. The case of the prosecution is that, while on patrolling duty, the police officials found a person lurking in suspicious circumstances. He was apprehended and after following the due procedure prescribed under the NDPS Act, his search was conducted. According to the prosecution, the police official, one Shri Mane recovered a black plastic pouch tucked inside the Applicants trousers. When he opened the said pouch, he found white crystalline powder. He seized the same under the provisions of the NDPS Act. The same was produced before the Magistrate for drawing samples under the Inventory Panchanama dated 3rd May, 2025. As per the Inventory Panchanama, five grams of Mephedrone, was drawn from the seized Mephedrone and was placed in a transparent plastic pouch and the said pouch was stapled. The said plastic pouch was kept in a Khaki coloured bag, and was also sealed by using gum. The Panchas signed the said packets and affixed required labels on the said packets.

3. The C.A. Report gives the description of articles as containing brownish crystalline powder put in press-lock polythene bag packed in a packet marked as A-1 and also labelled with the name of the police station along with the C.R. number.

4. Mr. Sonavane, learned APP representing the State, fairly concedes that the Applicant has one criminal antecedent, wherein non-commercial quantity of contraband was recovered from the Applicant. He also pointed from the C.A. Report that along with Mephedrone, 3-Chloromethcathinone is also detected.

5. Considering that there is a significant discrepancy in the packets of the contraband; that recovered from the Applicant and mentioned in the FIR; that mentioned in the Inventory Panchanama; and as described in the C.A. Report, there is reason to believe that the Applicant may not have committed the said offence.

6. Considering that commercial quantity of Chloromethcathinone is above 250 grams, prima facie, it appears probable that the content of Mephedrone in the mixture may not be of commercial quantity. Admittedly, there is no antecedent against the Applicant. 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.;

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.

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

8. 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)