

Ajit Pathrikar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 527 OF 2026

Satu Alias Chhotu Tinku Prasad ...Applicant
Versus
State Of Maharashtra ...Respondent

Mr. Chaitanya M. Bagul, *Vishal V. Rankhambe, Aparna V. Rankhambe and Afsar Ansari, for the Applicant.*

Ms. Megha S. Bajoria, *APP for the State-Respondent.*

API – Nitin Jadhav, *Pydhonie Police Station, is present.*

CORAM DR. NEELA GOKHALE, J.

DATED: 20th FEBRUARY 2026

PC:-

1. The Applicant seeks his release on bail in connection with C.R. No.1767 of 2025 dated 29th December 2025 registered with Pydhonie Police Station, Brihanmumbai City for the offences punishable under Sections 20(b)(ii), 29 and 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (“NDPS Act”).

2. The facts of the case, in brief, are that on 29th December 2025, at about 11.20 hours, the Complainant as well as the police officers while on patrolling duty, found co-accused

Rehana Imran Shaikh in a suspicious manner, hiding behind a tempo near Nandlal Jani marg, near Delhi Stand, in front of Gomukh Hotel, Majid Bandar. Upon seeing the police officers, she started running from the spot. Hence, the patrolling officers caught her. Her personal search revealed that she was in possession of 947 grams of Ganja. At the same time, the Applicant was also with the said Rehana Imran Shaikh and he was also searched. A quantity of 115 grams of Ganja was recovered from the possession of the Applicant. Accordingly, the FIR was registered.

3. The Applicant made an application seeking bail before the Special Judge (NDPS), City Civil and Sessions Court, Gr. Bombay. However, by order dated 27th January 2026, the said application was rejected. Hence, the Applicant is before this Court seeking the relief as prayed.

4. Mr. Chaitanya Bagul, learned counsel for the Applicant, submits that it was erroneously pointed out to the Trial Court that the quantity of Ganja seized from the Applicant was of

intermediate quantity and hence, the learned Trial Court rejected his application as the charge-sheet was not filed when the bail application was argued. Even today, the charge-sheet is not filed before the Trial Court. However, it is argued before this Court that the quantity of Ganja seized from the Applicant is not of intermediate quantity, but of small quantity and therefore, the said offence is a bailable offence.

5. Ms. Megha Bajoria, learned APP, fairly concedes that the quantity recovered from the present Applicant is of small quantity and not of intermediate quantity.

6. Considering that the offence registered against the Applicant is a bailable offence, I am inclined to enlarge the Applicant on bail and it is ordered as under:

ORDER

i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.25,000/ with one or two local sureties in the like amount;

- ii) The Applicant shall attend the Police Station concerned, on first Monday of every month between 10:00 a.m. and 12:00 p.m., till the charges are framed. He shall also attend the Trial Court concerned on each and every date as directed, till the conclusion of the trial, save and except if the Applicant is exempted from appearance by orders of the Trial Court.
- iii) If the Applicant holds a passport, he shall deposit the same with the Police Station concerned;
- iv) The Applicant shall not leave India, without permission of the trial Court;
- v) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- vi) The Applicant shall inform his latest place of residence and mobile 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 concerned Police Station;

vii) The Applicant to co-operate with the conduct of the trial;

viii) 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 Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(Dr. Neela Gokhale, J)