

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.635 OF 2026**

Ravindra Gandas Barela	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Ms. Ashwinii Achari a/w Taraq Sayed and Anish Pereira, *for the Applicant.*

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

PSI – Mahesh Mahadawad, Narpoli Police Station, Bhiwandi, present.

**CORAM DR. NEELA GOKHALE, J.
DATED: 16TH FEBRUARY 2026**

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R. No.955 of 2025 dated 10th July, 2025, registered with the Narpoli Police Station, for the offences punishable under Sections 8(c) read with Section 20(b) (ii) (c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short '**NDPS**').

2. There are in all four accused persons involved in the present crime. The Applicant is Accused No.4. the Applicant was arrested on 10th July, 2025.

3. The brief facts of the case are that while the police officials were on patrolling duty, they spotted Applicant's vehicle. On suspicion, they opened the dickey of the vehicle and found 20 Kg 663 grams of ganja. After following the due procedure prescribed under the NDPS Act, it was confirmed that the contraband recovered was ganja. Pursuant to registration of the FIR, the Applicant was arrested.

4. The Applicant filed an application seeking bail before the Additional Sessions Judge, Bhiwandi, however, by order dated 29th December, 2025, the said application was rejected. Hence, the Applicant has filed the present Bail Application for the relief as prayed.

5. Ms. Achari, learned counsel for the Applicant, submits that the commercial quantity of ganja prescribed

under the NDPS Act is 20 Kgs, whereas only 20 Kg and 663 grams were recovered from the Applicant, which is over and above the commercial quantity. She further submits that the contraband was seized from the Applicant in absence of panch witnesses and the Panch witnesses were called thereafter. She also submits that the seizure panchanama records the contraband as greenish, brownish in colour with leaves and flowers. However, she submits that in the inventory panchanama, the learned Magistrate described the ganja as dry ganja leaves and seeds. She contends that the seeds of ganja would probably weigh over and above the ganja seized which constituted commercial quantity. She thus, prays that the Applicant be enlarged on bail.

6. Ms. Bajoria, learned APP representing the State, submits that notwithstanding that the commercial quantity of ganja is 20 Kgs, 20 Kg 663 grams of ganja was recovered from the Applicant, which is above the commercial quantity. She, therefore, prays that the application be rejected. However, she

fairly concedes that the Applicant has no criminal antecedents.

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

8. Considering the discrepancy in the description of the ganja recovered, as recorded in the seizure panchanama, which differs from the description of ganja in the inventory panchanama, *prima facie* there are reasonable grounds to believe that the Applicant may not have committed the alleged offence. Since the Applicant has no criminal antecedents, it is unlikely that he would commit a similar offence if released on bail. Hence, 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)