

BAIL APPLICATION NO.742 OF 2026

Versus

State of Maharashtra ...Respondent

Mr. Jaymangal Dhanraj, i/b Laxman Muppan, for the applicant.

Mr. Mayur Sonavane, *APP for the Respondent-State.*

Mr. Dayanand Patil, *PSI attached to Goregaon Police Station, Mumbai, present.*

CORAM DR. NEELA GOKHALE, J.

DATED: 24th FEBRUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with FIR No. 0601 of 2025 dated 25th September 2025 registered with the Goregaon Police Station, Brihanmumbai City for the offences punishable under Sections 8(c), 21(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution, in brief, reveals that, on 24th September 2025, when the officials of the Police Station were on patrolling duty, they noticed two persons at about 5.30 p.m. lurking in suspicious circumstances. The said two persons were apprehended and after following due procedure under the provisions of the NDPS Act, they were searched. Upon search, the Applicant was found in possession of 48 grams of Mephedrone ('MD'). Hence, the Applicant and the Co-accused alleged to be arrested on 24th September 2025 pursuant to an FIR being lodged against them.

3. The Applicant filed an application seeking bail before the Special Judge (N.D.P.S.), City Civil & Sessions Court, Greater Bombay. However, by order dated 19th January 2026, his bail application came to be rejected. Hence, the Applicant is before this Court for the reliefs as prayed.

4. Mr. Jaymangal Dhanraj, learned counsel appearing for the Applicant submits that quantity of MD recovered from the present Applicant is of intermediate quantity. He also submits

that the Applicant has no antecedents against him. Additionally, he submits that the Applicant is in jail since September 2025 and charges are not framed till date. In these circumstances, he prays that Bail Application be allowed.

5. *Per contra*, Mr. Mayur Sonavane, learned APP representing the State in the matter, submits that there is evidence to connect the Applicant in commission of offence; the offence alleged is of serious and grave nature. Thus, he resists the Bail Application.

6. Heard learned counsel appearing for the respective parties and perused the record with their assistance.

7. Admittedly, the quantity of MD recovered from the Applicant is 48 grams, which is of intermediate quantity and hence, the rigors of Section 37 of the NDPS Act shall not apply to the present case. The Applicant is in jail since September 2025 and the charges are not framed as yet. Co-accused

(Accused No.2) is already granted bail. Admittedly, there are no antecedents pertaining to the present Applicant.

8. 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 on first Monday between 11:00 a.m. to 02:00 p.m. till the charges are framed;

iv) If the Applicant holds a passport, he 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)

SHAMBHAVI
NILESH
SHIVGAN
Digitally
signed by
SHAMBHAVI
NILESH
SHIVGAN
Date:
2026.02.25
15:22:40
+0530