

N.S.Kamble

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 937 OF 2026

Tajuddin Mohammed Rijwan Rain

... Applicant

Versus

The State of Maharashtra

... Respondent

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Mr.Mihir N. Kasliwal i/b Mr.Rahul J. Kasliwal, for the Applicant.
Mr.B.B. Kulkarni, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 9th APRIL 2026

P.C. :

1. By this Application, the Applicant is seeking regular bail in Crime No.403 of 2025 registered with Mumbai Naka Police Station, Nashik for the offences punishable under Sections 8(c), 22(b) and 29 the Narcotic Drugs and Psychotropic Substances Act, 1985, ('NDPS' for short).

2. It is prosecution's case that on secret information, police apprehended the Applicant and co-accused and in the personal search of the Accused No.1, police found 6.5 gram Mephedrone.

3. It is contention of learned counsel for the Applicant that there is no recovery of the contraband from the possession of the Applicant. The

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allegation against the Applicant is that he was accompanying the Accused No.1. The Applicant is behind bars for more than five months. The Applicant has no antecedents, and requested to allow the Application.

4. It is contention of learned APP that, the Applicant was apprehended with Accused No.1, it shows conspiracy of the Applicant in the crime. The learned APP further submitted that financial transaction took place between the Applicant and Accused No.1 and there were call record between them, it shows involvement of the Applicant in crime. If the Applicant released on bail, he may abscond or threaten prosecution witnesses, and requested to reject the Application.

5. I have heard both learned counsel. Perused charge-sheet and documents produced on record.

6. Nothing is found in the possession of the Applicant. The co-accused having similar allegations have been released on bail. Hence, the Applicant is entitled for bail on principle of parity and I pass following order.

ORDER

(i) The Applicant be released on bail in Crime No.403 of 2025 registered with Mumbai Naka Police Station, Nashik, on

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furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

(iii) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.

(iv) The Applicant shall attend the concerned Police Station as and when required.

(v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)