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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

CRIMINAL BAIL APPLICATION NO.1216 OF 2026

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Nikita Mohanlal Sharma

...Applicant

V/s.

State of Maharashtra

...Respondent

Mr.Rounak Naik with Lochan Chandka for the Applicant.

Mrs.S. D. Shinde, APP for the Respondent- State.

Mr.Vinayak Mane, API attached to Mumbra Police Station is present in Court.

CORAM : R.M. JOSHI, J.

DATE : 28TH APRIL, 2026.

P.C. :-

1. The Applicant seeks bail in connection with Crime No.1244 of 2025 registered with Mumbra Police Station for the offences punishable under Sections 8(c), 22(c) and 29 of the Narcotic Drugs & Psychotropic Substances Act, (NDPS Act).

2. In short, it is the case of the prosecution that the co-accused – Mohanlal, the father of the Applicant, was intervened by the concerned officers and found his possession, Mephedrone

(MD) weighing 1209 gram was seized. Pursuant to the said seizure, the house of the co-accused and the Applicant was searched. Nothing incriminating was found in the said search. On the basis of the statement of an Electrician, the involvement of the Applicant is sought in this crime. On conclusion of the investigation, the chargesheet is filed.

3. Learned counsel for the Applicant submits that there is absolutely no evidence on record to show the complicity of the Applicant in this crime. He drew attention of the Court to the statement of the Electrician who claimed that on 19th July, 2025, one plastic bag with powder was given by her to the witness, which was returned by him on 23rd July, 2025. It is his submission that no such recovery of any plastic bag with powder has been done by the Investigating Agency and as such there is no evidence to connect the Applicant with the crime. The Applicant has no criminal history and he is claimed to be available during the trial.

4. Learned APP opposed the application by citing the seriousness of the crime. It is argued that from the father of the

Applicant on 19th July, 2025, commercial quantity of contraband came to be seized. By referring to the statement of the witness, who is the Electrician, it is claimed that on 19th July, 2025 the Applicant gave the MD powder to the witness in order to ensure that nothing is recovered from the premises of the Applicant.

5. There is no dispute about the fact that except the statement of the Electrician, there is no other evidence to connect the Applicant with the crime. Though this witness states about the bag with some powder being given to him by the Applicant on 19th July, 2025, there is no further investigation in this regard and there is no seizure of the said bag with any power. As such there is no evidence on record to show that any contraband was handed over by the Applicant to the witness. Apart from this, the said plastic bag with the powder was returned to the Applicant by the witness on 23rd July, 2025 and as such the same cannot be connected to the crime in question, as the recovery from the co-accused has already been done on 19th July, 2025.

6. This Court therefore, finds substance in the

contention of the learned counsel for the Applicant that *prima-facie* there is no evidence to connect the Applicant with the crime. As such the embargo created by Section 37 of the NDPS Act has no application to the present case. The Applicant has no criminal history. He is not likely to flee from justice.

7. Hence the following order :-

ORDER:

- a). The Application stands allowed.
 - b). The Applicant be enlarged on bail in connection with Crime No.1244 of 2025 registered with Mumbra Police Station on furnishing PR bond of Rs.30,000/- with one surety or two sureties in the like amount to the satisfaction of the Trial Court.
 - c). The Applicant to attend the Trial Court on each dates of hearing unless exempted by the Trial Court.
 - d). The Applicant not to contact any witness directly or indirectly and not to interfere into the evidence of the prosecution in any manner whatsoever.
8. It is clarified that above observations are *prima-facie* in

nature and would not bind Trial Court / parties during trial.

(R.M. JOSHI, J.)