

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

BAIL APPLICATION NO.2351 OF 2026

Nitul Mahendrabhai Doshi

.... Applicant

Vs.

The State of Maharashtra

.... Respondent

Mr. Ayaz Khan with Dilip Mishra with Zehra Charonia and Mallika Sharma
for the Applicant.

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

Mr. Dayanand Patil, PSI, Goregaon police station present.

CORAM : SHYAM C. CHANDAK, J.

DATED : 15th JUNE, 2026

P.C. :-

- 1) The Applicant is seeking his release on bail in connection with C.R. No.703 of 2025 registered with Goregaon police station for the offences punishable under Sections 8(c), 21(b) and 29 of the NDPS Act.
- 2) Heard Mr.Khan, learned Counsel for the Applicant and Mr.Sonavane, learned APP for the Respondent-State.
- 3) The prosecution case is that on 12th November 2025, at about 14.50 hours near Rastrawadi Public Office on S. V. Road, Goregaon, the Applicant was found in possession of 5.7 grams of Mephedrone. The patrolling police arrested the Applicant on the same day, after effecting seizure of the said contraband. Mr.Bharat Tople, Police Head Constable filed a report which led to registration of the said crime. On completion of the investigation, the police submitted the charge-sheet. Bail Application of the Applicant came to be rejected by the Sessions Court.
- 4) Mr.Khan, the learned Counsel for the Applicant submitted that the seized contraband is not of commercial quantity. The investigation is over.

Although, the Applicant has antecedents, i.e., one case under the NDPS Act and the other case for the offence of Section 420 of the I.P.C., the Applicant is on bail in the offence registered under Section 420 of the I.P.C. In the offence registered under the NDPS Act, there is no recovery of any contraband from the Applicant. Therefore, the Applicant may be released on bail .

5) Mr. Sonavane, the learned APP for the Respondent-State strongly opposed the Application. He submitted that there is sufficient material against the Applicant of having committed the present offence. Therefore, the Applicant may not be released on bail.

6) There is no dispute that the contraband seized is not a commercial quantity. The investigation of the crime is over and the charge-sheet is already filed. The detention of the Applicant in jail will not serve any purpose. The trial will take considerable time to conclude. In the offence under Section 420 of the I.P.C., the Applicant is on bail. The submissions that no contraband is seized from the Applicant in another NDPS case is not controverted by the Investigating Officer Mr. Dayanand Patil, PSI.

7) In the wake of above, the Applicant is entitled for bail. Hence, the following Order is passed :-

- (i) The Applicant-Nitul Mahendrabhai Doshi shall be released on bail in connection with FIR No.703 of 2025 registered with Goregaon police station, Mumbai under Sections 8(c), 21(b) and 29 of the NDPS Act, on his furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.
- (ii) The Applicant shall mark his attendance at Goregaon police station on the 1st day of each calendar month between 12.00 noon to 4.00 pm, till the conclusion of the trial.

- (iii) The Applicant shall regularly attend before the proceedings before the jurisdictional Court unless exempted by the said Court, for the reasons to be recorded in writing.
 - (iv) The Applicant shall not tamper with the prosecution evidence and shall not directly or indirectly influence upon the prosecution witness to prevent them from deposing against him.
 - (v) On being released from jail, the Applicant shall furnish his contact number and residential address to the Investigation Officer and shall keep him updated, in case there is any change.
 - (vi) The Applicant shall not commit any offence.
 - (vii) By way of abundant caution, it is clarified that the observations made hereinabove are confined for the purpose of determination to the entitlement for bail and they may not be construed as an expression of opinion on the guilt or otherwise of the Applicant and the trial Court shall not be influenced by any of the observations made hereinabove.
- 8) Application stands disposed of in aforesaid terms.

(SHYAM C. CHANDAK, J.)