

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.215 OF 2026**

Mithun Om Shankar	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Vishal Mehta a/w Mushtaq Shaikh, Advocate for Applicant.
Mr. S.M. Mangaonkar, APP for the State.
PI, R.V. Londhe, ATS Vikhroli Unit, Mumbai present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 23rd January 2026

P.C.:

1. Heard Mr. Vishal Mehta, learned Counsel appearing for the Applicant and Mr. Mangaonkar, learned APP for the State.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), the Applicant is seeking pre-arrest bail in connection with C.R. No.602 of 2020 registered Pune Railway Police Station, for the offences punishable under Sections 8(c), 20(b)(ii) and 29 of the Narcotic and Psychotropic Substances Act, 1985 ("NDPS Act").

3. Mr. Mehta, learned Counsel submits that the Applicant is not involved in the crime and merely as the Applicant's father is co-accused the Applicant is shown to be involved in the crime.

4. On the other hand, Mr. Mangaonkar, learned APP strongly opposes the Application. He submits that apart from the role of the father of the Applicant, even the Applicant is also involved in the crime and therefore the Application be dismissed.

5. Perusal of record shows that the contraband material involved is 34 kg. of Charas.

6. As far as the role of the Applicant is concerned, it is the prosecution case that he has supplied 4 kg of Charas out of total 34 kgs. involved in the crime to a co-accused.

7. The Police i.e. Anti Terrorism Squad has filed detailed report dated 24th July 2025 before the learned Additional Sessions Judge placing on record the material showing the involvement of the Applicant in the said serious crime under the NDPS Act. By Order dated 7th January 2026, the learned Additional Sessions Judge, Pune while rejecting said Application has considered the material

in detail against the Applicant. The said material shows that, the Applicant *prima facie* is involved in a very serious crime of supply of narcotic substance. The quantity involved is a commercial quantity.

8. As per Section 37(1)(b)(ii) of the NDPS Act, the Court has to record satisfaction before granting pre-arrest bail that there are reasonable grounds for believing that the Applicant is not guilty of such offense and he is not likely to commit any offense while on bail. In view of the material on record, *prima facie* showing the involvement of the Applicant in crime, no such satisfaction can be recorded.

9. Thus, no case is made out for grant of Anticipatory Bail. Accordingly, Anticipatory Bail Application is rejected.

(MADHAV J. JAMDAR, J.)