



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [B.A.] NO. 622 OF 2025

Sanjay @ Sanjeev Paras Singh

-- VERSUS --

State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Amol Jaltare, Advocate for the Applicant.

Ms. M.H. Deshmukh, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : MARCH 05, 2026.

Heard.

2. The applicant was arrested on 02/11/2024, and the present application is filed seeking regular bail in connection with Crime No.532/2024 for the offence punishable under Sections 22(c), 8(c), 25 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, and Sections 318(4), 336(3), 338, 341(2) and 238 of Bharatiya Nyaya Sanhita, 2023, read with Section 135 of the Electricity Act, 2003, registered with Police Station Barshitakli, District Akola.

3. As per the First Information Report dated 24/10/2024 lodged by Police Inspector Shankar Vitthal Shelke of the Local Crime Branch,

Akola, information was received on 23/10/2024 that certain persons were illegally manufacturing narcotic substances in a closed ginning factory situated on Barshitakli–Mahagaon Road, owned by Mohammad Shafi Mohammad Suleman. Acting upon the said information, a raiding team along with panch witnesses and a gazetted officer conducted a raid at the said premises. During the raid, five persons, namely Adil Mohammad Shamim Ansari, Pawan Manik Muddanar, Firoz Khan Shabbir Khan, Nisar Niyazi @ Mukhtar Niyazi and Mohammad Irfan Mohammad Yusuf, were found present at the spot. Upon search of the premises, the police allegedly recovered Ephedrine powder weighing about 5.548 kilograms along with various chemicals, equipment and other materials used for manufacturing narcotic substances, as well as a four-wheeler vehicle and mobile phones. The total value of the seized contraband and other articles was stated to be approximately Rs.2,38,70,000/-. On the basis of the said recovery and allegations that the accused persons were engaged in the manufacture of narcotic drugs, an offence came to be registered against them.

4. The learned counsel, Mr. Jaltare, vehemently submits that, there is no evidence against the present applicant in order to connect him with the alleged crime. The role attributed in the entire

charge-sheet is preparation of bills which facilitated transport of the goods as well as chemicals from Mumbai to Barshitakli. He further submits that, applicant has nothing to do with the other accused like Ashraf Khan and Jatin Doshi, who are instrumental in procuring and supplying the material for preparation of Mephedrone (M.D.) drug. He further submits that in the entire charge-sheet, apart from the fact that the applicant has prepared bills, no other role is attributed to the present applicant and, therefore, he submits that considering the nature of allegations, the applicant be granted bail.

5. On the other hand, the learned A.P.P. vehemently opposes the application and submits that, co-accused Ashraf and Jatin have procured and supplied goods as well as chemicals from Mumbai to Barshitakli. She has pointed out allegations against the applicant from the summary of the charge-sheet. She further pointed out the mobile inspection panchanama, wherein there are continuous Whatsapp messages between the present applicant and Ashraf. She further submits that apart from these Whatsapp messages, there are statements of the witnesses which shows that the applicant and others were instrumental in procuring as well as printing forged bills in order to facilitate seamless transport from Mumbai to Barshitakli of all the instruments

and chemicals, required for preparation of M.D. drug. Apart from this evidence, there is evidence in the nature of CDR calls between the applicant and Ashraf and, therefore, she submits that the applicant has not only played an active role, but is also involved in a serious crime. She further submits that, this Court, has granted bail to one Jatin Doshi, however, it was challenged before the Supreme Court, and the Supreme Court by its order dated 27/10/2025, has quashed and set aside the order of this Court and had cancelled the bail. The applicant is also similarly situated and, therefore, the applicant may not be granted bail.

6. I have considered the rival submissions. Admittedly, the offence is a serious offence. Drug nowadays is destroying future generation, especially school and college going children. Therefore, while considering the bail application of the applicant, it is necessary to consider the allegations against the applicant. So far as the allegations against the applicant are concerned, the applicant has procured forged bills in the name of Sun Trading in order to facilitate seamless travel from Mumbai to Barshitakli. In all these bills, it is mentioned, as to what are the instruments which are being transported. Apart from these instruments, raw materials which are necessary for preparation of M.D. drugs have also been

mentioned in all these forged bills which was prepared by the present applicant from one witness, namely, Dharmendra. On perusal of the statement of Dharmendra, it is clear that, on the say of the applicant, Dharmendra has prepared those bills and all those bills are then handed over to the present applicant and the present applicant would send all these bills on the Whatsapp to Ashraf. The applicant seems to be working as a broker / agent with some of the companies. Taking undue advantage of the GST numbers and other details of those companies, the applicant has asked Dharmendra to prepare the bill in their names, wherein the GST numbers and other details were also mentioned. Admittedly, all these bills are fake bills and were used for transportation of the raw-materials as well as apparatus used for preparation of MD drugs. Further, perusal of the seizure panchanama, reveals that the chemical which was transported and which is reflected on the bills, i.e., acetone, was also found in the factory where the preparation of MD drug was going on. There are also 'N' number of calls between Ashraf and the applicant. Considering all this material and applicant's active role and participation in the entire case, I am not inclined to grant bail. It is further to be noted that the Supreme Court has also cancelled the bail of Jatin Doshi granted by the High Court who is also similarly

situated as of applicant. Hence, the Criminal Application is **rejected**.

[M.M. NERLIKAR, J]

PIYUSH MAHAJAN