

MHCC020105902026



**IN THE SPECIAL COURT FOR NARCOTIC DRUG AND
PSYCHOTROPIC SUBSTANCES ACT, 1985, AT GR. BOMBAY**

ANTICIPATORY BAIL APPLICATION NO. 1334 OF 2026

Suryakant Dattatraya Bandal,	]	
Age: 68 years; Occu. Nil,	]	
R/o. 950, Uttar Sadar Bazar, Satrasta,	]	
Near Bank of Maharashtra, Jijamata,	]	
Solapur North, Solapur, Maharashtra,	]	 Applicant
413003.		

Versus

The Union of India,	]	
through Inspector, Special Investigation	]	
and Intelligence Branch (SIIB), Airport	]	
Special Cargo, Mumbai Customs Zone-	]	 Respondent
III		

Appearance:

Ld. Adv. Mr. Prasannan Namboodiri for the applicant.

Ld. SPP Mr. Atul Sarpande for SIIB/Respondent.

**CORAM : UMESH K. SORTE,
SPECIAL JUDGE, NDPS,
(C.R. No. 47)**

DATE : 10th August 2026.

ORDER

. This is an application preferred by the applicant, Suryakant Dattatraya Bandal, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in pursuant to Summons No.RS/573/2026-27 dated 24.6.2026, issued in connection with F.No.SG/INV-23/2026-27/SIIB/APSC, for the investigation concerning the alleged attempt to export 360 tablets of Colospa-X containing Chlordiazepoxide.

2. Heard learned Advocate Mr. Prasannan Namboodiri for the applicant and learned SPP Mr. Atul Sarpande for SIIB/Respondent. Perused the application and reply.

Brief facts of prosecution's case:

3. The prosecution case, in brief, is that an export consignment bearing HAWB No. 4539506845 was booked through DHL Express for export from India to the United States of America. On 16.06.2026, during examination of the consignment by the Customs officers at the International Courier Terminal, Sahar, Mumbai, 360 tablets of Colospa-X were found. Each tablet contained 5 mg of Chlordiazepoxide, which is a psychotropic substance regulated under the NDPS Act. The applicant had not obtained the requisite export authorisation from the Narcotics Commissioner, Central Bureau of Narcotics. Therefore, the consignment was seized and investigation is initiated.

Submissions on behalf of the applicant:

4. The learned advocate for the applicant submitted that the applicant apprehends arrest in connection with the alleged attempt to export 360 tablets of Colospa-X containing Chlordiazepoxide 5 mg. The tablets were purchased on the basis of a valid prescription issued by a Registered Medical Practitioner for the applicant's son, who is residing in the USA and undergoing medical treatment. The applicant had purchased the medicines from a licensed medical shop and had handed them over to DHL for sending them to his son. The prescription and purchase invoice were also furnished to DHL. The shipment was intercepted by Customs before it could be exported. The prescribed dosage of Colospa-X was four tablets per day. Therefore, 360 tablets amount to 90 days' dosage. The tablets falls under small quantity. The applicant had no intention to deal with the substance for any illicit purpose. The medicines were purchased solely for the medical treatment of his son. He had also disclosed the contents of the consignment to DHL. The alleged non-obtaining of export authorisation, if at all established, would be a procedural lapse. There was no criminal intention on the part of the applicant. The tablets were never exported and were detained by Customs before reaching the destination. The applicant was merely facilitating the sending of the prescribed medicines to his son. He had no intention to divert the tablets into any illicit channel. The applicant has no criminal antecedents. He is a permanent resident and has deep roots in society. There is no possibility of his absconding or tampering with the evidence. He is ready to cooperate with the investigation and to attend the office of the Respondent as and when called. His custodial interrogation is not necessary. The applicant apprehends arrest and that arrest would cause

unnecessary hardship to him and his family. Thus, the learned advocate for the applicant, prayed that the applicant be granted anticipatory bail.

Submissions of the Prosecution:

5. The learned SPP for SIIB submitted that the consignment bearing HAWB No. 4539506845 was booked through DHL for export from India to the United States of America. On examination by Customs officers, 360 tablets of Colospa-X were found in the consignment. Each tablet contained 5 mg of Chlordiazepoxide, which is a psychotropic substance. The export of Chlordiazepoxide is regulated under the NDPS Act and the NDPS Rules. The applicant had not obtained the required export authorisation from the Narcotics Commissioner, Central Bureau of Narcotics. Therefore, the consignment was seized and investigation was commenced. The applicant was issued summons dated 24.06.2026 under Section 67 of the NDPS Act. The applicant initially sought time on the ground of illness. He thereafter sought a further extension of 10 days.

6. The learned SPP further submitted that the applicant appeared before the investigating officer on 15.07.2026. His statement was recorded. He produced the medical prescription and purchase invoice relating to the medicines. In his statement, he claimed that he was unaware of the requirement of obtaining export authorisation. He also stated that the medicines were being sent to his son for medical treatment and that he had no mala-fide intention. The applicant's explanation and the documents produced by him are being examined during the investigation. The material collected during the investigation is under consideration. Appropriate proceedings will be initiated before

the competent Court in accordance with law. The applicant has already joined the investigation. His statement has been recorded and relevant documents have been collected. Therefore, the Department has no further submission at this stage except that the application may be decided on its merits in accordance with law. The learned SPP therefore prayed that appropriate orders be passed in the facts and circumstances of the case.

Considerations and findings:

7. I have considered the rival submissions, perused the application and reply. At this stage, it is not in dispute that the 360 tablets were seized by Customs before the consignment could be exported. The documents produced by the applicant, particularly the medical prescription, purchase invoice and DHL shipment receipt, prima facie show that the tablets were purchased pursuant to a medical prescription and were intended to be sent to the applicant's son for his medical treatment. The prescription dated 10.06.2026 specifically prescribes Colospa-X containing Mebeverine 135 mg and Chlordiazepoxide 5 mg. The prescribed dosage is two tablets in the morning and two tablets at night. Each tablet contains only 5 mg of Chlordiazepoxide and, therefore, the total drug content in 360 tablets is 1.8 grams. The quantity is below the notified small quantity of Chlordiazepoxide. The purchase invoice dated 13.06.2026 also reflects the purchase of the medicines. The DHL receipt dated 15.06.2026 shows that the consignment was addressed to the applicant's son in the United States. The applicant has also placed on record the communication from DHL informing him that the shipment had been detained by Customs during the export clearance process. Therefore,

the alleged export did not ultimately take place. It is true that the prosecution alleges that the applicant had not obtained the requisite export authorisation. However, the applicant has already appeared before the Investigating Officer pursuant to the summons. His statement has been recorded and he has produced the relevant prescription and purchase documents. The prosecution itself states that the investigation is substantially complete and that the material collected is under consideration.

8. There is nothing on record at this stage to show that custodial interrogation of the applicant is necessary. The relevant consignment has already been seized. The medical prescription, purchase invoice and shipment documents are available with the investigating agency. The applicant has no criminal antecedents, as stated before the Court on affidavit. The applicant has expressed his willingness to cooperate with the investigation. There is also no material at this stage to show that he is likely to abscond or tamper with the evidence.

9. Considering the peculiar facts of the case, particularly that the alleged psychotropic substance was contained in prescribed medicines, the medicines were purchased from a medical shop, the shipment was intercepted before export, the applicant has already joined the investigation and his statement has been recorded, custodial interrogation does not appear to be necessary. Therefore, this Court is inclined to exercise its discretionary jurisdiction in favour of the applicant, subject to appropriate conditions ensuring his cooperation with the investigation. Hence, I pass following Order:

ORDER

1. The Anticipatory Bail Application No.1334 of 2026 is allowed.
2. In the event of arrest of the applicant, **Suryakant Dattatraya Bandal**, pursuant to Summons No.RS/573/2026-27 dated 24.6.2026, issued in connection with F.No.SG/INV-23/2026-27/SIIB/APSC, for investigation concerning the alleged attempt to export 360 tablets of Colospa-X containing Chlordiazepoxide, he shall be released on bail on furnishing P.R. Bond of Rs. 50,000/- (Fifty Thousand Rs. Only) with one or two sureties in the like amount, subject to following conditions :-
 - i. The applicant shall cooperate with the investigation and shall appear before the Investigating Officer as and when called, upon reasonable written notice.
 - ii. The applicant shall not tamper with the prosecution evidence or attempt to influence any witness.
 - iii. The applicant shall not leave India without prior permission of the Court.
 - iv. The applicant shall furnish his current residential address and mobile contact details to the Investigating Officer and shall inform the Investigating Officer of any change therein.
 - v. The applicant shall not commit any offence similar to the alleged offence during the period of bail.
 - vi. In case of breach of any of the above conditions, the Respondent shall be at liberty to seek cancellation of the bail.

3. The Anticipatory Bail Application No.1334 of 2026 is disposed of accordingly.

Sd/-

(UMESH K. SORTE)

Special Judge (NDPS) and
Additional Sessions Judge,

Court Room No. 47

City Civil and Sessions Court,
Gr. Bombay.

Date : 10.08.2026.

Direct dictated on computer	: 10.08.2026
Checked and Signed on	: 10.08.2026

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED ORDER.”		
UPLOAD DATE	TIME	STENOGRAPHER NAME
10.08.2026	05.55 p.m.	Ms. Ujwala J. Bhagat

Name of the Judge	H.H.J. U.K. Sorte (Court Room No.47)
Date of pronouncement of Order	10.08.2026
Order signed by P. O. on	10.08.2026
Order uploaded on	10.08.2026