

GJVL010006502026



Presented on : 29-05-2026

Registered on : 29-05-2026

Decided on : 05-06-2026

Duration : 07 Days

**IN THE COURT OF SPECIAL JUDGE (NDPS) &
ADDITIONAL SESSIONS JUDGE, VALSAD**

AT : VALSAD

[Presided Over By D.J. Shah]

**Criminal Misc. Application (For Regular Bail – After
Chargesheet) No. 317 of 2026**

Exhibit No.: _____

Saraswati W/o Indrajeet Krupasindhu Bhoi

**R/o. Katak, Naheru Colony, Post. Naya Bazar,
Thana. Chavadiyaganj Bajar, Badasahi Area,
Dist. Katak Odisha**

: : : Applicant

VERSUS

The State of Gujarat

: : : Opponent

Appearances :-

Ld. Adv. Mr. M.C. Morya for the applicant/accused.

Ld. Addl. P.P. Mr. N.D. Prajapati for the opponent – State.

Application filed under : Section **483** of Bharatiya
Nagarik Suraksha Sanhita,
2023.

Offences punishable under : Sections **8(c), 20(b)(ii)B &
29** of Narcotic Drugs and
Psychotropic Substances
Act, 1985.

: Section **78** of Juvenile
Justice (Care and
Protection) Act, 2015.

::: O R D E R :::

(1) The present application has been preferred by the present applicant/accused under the provision of **Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023**, seeking Regular Bail, in connection with the offences punishable under **Sections 8(c), 20(b)(ii)B & 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985** and **Section 78 of Juvenile Justice (Care and Protection) Act, 2015**, registered with **Dungara Police Station** vide **CR No.11200051260400/2026** after filing of the charge-sheet.

(2) The application came to be registered and notice was issued to the opponent-State.

(3) On behalf of the present applicant/accused, Ld. Advocate has vehemently submitted that present applicant/accused is innocent and falsely implicated in the present offence. It is further submitted that there is no prima facie case against the present applicant/accused. It is further submitted that the present applicant/accused is in judicial custody since 01.03.2026 and the investigation in the present case has been completed and charge-sheet has also been filed vide NDPS Case No.12/2026 and therefore, no further custodial interrogation of the present applicant/accused is required. It is further submitted that no contraband has been recovered from the possession of the present applicant/accused. There is no direct evidence connecting the present applicant/accused with the alleged offence. Even the charge-sheet papers do not disclose any prima facie material showing the involvement of the present applicant/accused in the alleged crime. Therefore, the present applicant/accused deserves

to be released on bail. It is further submitted that the trial will take considerable time to conclude. Therefore, continued detention of the present applicant/accused would amount to pre-trial punishment. It is further submitted that the present applicant/accused is residing at aforesaid address and has deep roots in the society, therefore, she is not likely to flee away from the justice. It is further submitted that the present applicant/accused is the sole bread-winner in her family and has all the responsibilities to maintain her family and she has no criminal antecedents. It is further submitted that the offences alleged against the present applicant/accused are not punishable with death or imprisonment for life. It is further submitted that the present applicant/accused is ready and willing to abide by all the conditions which may be imposed by the Court. Therefore, considering the law laid down by the Hon'ble Supreme Court, the applicant/accused may kindly be released on bail.

(4) Per contra, Ld. Addl. P.P. has appeared and strenuously opposed the bail plea of the present applicant/accused and filed affidavit of Investigating Officer. It is submitted that the present applicant/accused has been arraigned as an accused in connection with an offence punishable under Sections 8(c), 20(b)(ii)(B) & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, and Section 78 of the Juvenile Justice (Care and Protection of Children) Act, 2015. The allegations against the present applicant/accused are serious in nature and involve the illegal transportation of a commercial quantity of contraband substance. It is further submitted that on 01.03.2026 during a raid the present applicant/accused was found travelling along with the co-

accused in Bajaj Auto Rickshaw bearing Registration No. GJ-15-AW-5153. During the raid, 13 parcels containing 13.730 kgs. of contraband ganja, valued at Rs.6,86,500/-, were recovered and seized from their possession. It is further submitted that the investigation has revealed that the present applicant/accused and the co-accused were jointly transporting the contraband substance for delivery to the wanted accused persons. It is further submitted that the present applicant/accused was actively accompanying the co-accused during the transportation of the contraband and was acting in furtherance of the common intention and conspiracy of all the accused persons. Therefore, prima facie material exists showing the involvement of the present applicant/accused in the commission of the alleged offence. It is further submitted that the offence under the NDPS Act is a grave and serious offence affecting society at large. The quantity of contraband recovered is substantial and the role attributed to the present applicant/accused cannot be said to be minor at this stage. The investigation papers disclose sufficient material connecting the present applicant/accused with the alleged crime. It is also submitted that if the present applicant/accused is released on bail, there is every possibility of her indulging in similar illegal activities again. There is also a likelihood that the present applicant/accused may abscond or may not remain available during the course of trial and whenever required by the Investigating Agency or the Court. Considering the seriousness of the offence, the nature of the allegations, the recovery of contraband and the involvement of the present applicant/accused in the alleged illegal transportation of the contraband ganja, this is not a fit case for exercising discretionary

relief of bail and therefore, Ld. Addl. P.P. has requested to this Court to reject the present application.

(5) Heard the Ld. Advocates for the respective parties and perused the documents produced in the matter. On perusal of the police papers as well as the affidavit filed by the Investigating Officer, it transpires that the present applicant/accused was apprehended at the spot along with the co-accused during the raid conducted on 01.03.2026. The record further reveals that 13 parcels containing 13.730 kgs. of contraband ganja valued at Rs.6,86,500/- were recovered and seized from the possession of the accused persons. The investigation papers prima facie indicate that the present applicant/accused was travelling along with the co-accused and was involved in transporting the contraband substance for its delivery to other accused persons. The charge-sheet papers also disclose prima facie material showing the involvement of the present applicant/accused in the alleged offence. The offence alleged against the present applicant/accused is serious in nature and is punishable under the provisions of the NDPS Act. At this stage, this Court is not required to conduct a detailed examination of the evidence. Further, it also transpires that the investigation in the present case has been completed and charge-sheet has also been filed and the earlier bail application preferred before filing of the charge-sheet by the present applicant/accused seeking regular bail was rejected by this Court and thereafter, the present applicant/accused has filed the present Regular Bail Application after filing of the charge-sheet and submitted that there are substantial change of circumstances after filing of the charge-

sheet. However, the ground of the change of circumstances due to filing of the charge-sheet is not a valid ground. However, considering the nature and gravity of the offence, the manner in which the contraband substance was being transported and the material collected during investigation, this Court is of the opinion that a prima facie case exists against the present applicant/accused. Considering the seriousness of the allegations, the role attributed to the present applicant/accused and the overall facts and circumstances of the case, this Court does not find it appropriate to exercise discretion in favour of the present applicant/accused. The submissions advanced on behalf of the present applicant/accused are not sufficient to grant regular bail at this stage and hence, the following order is passed:-

::: O R D E R :::

The present Regular Bail Application preferred by the present applicant/accused is hereby **rejected**.

Signed & pronounced in the open Court today on **June 05th, 2026**.

Date : 05.06.2026

Place : Valsad

[D.J. Shah]
Special Judge (NDPS) &
Additional Sessions Judge,
Valsad
(Code No. GJ00392)