

MHMM180065082026



BA No. 1409/BA/2026
State (Santacruz PS) V/s. Mustak Mazhar Khan

(A)
CASE DETAILS

1	FIR No.	691/2026
2	Date of FIR	01/06/2026
3	Police Station, District and State	Santacruz Police Station, Mumbai, Maharashtra
4	Sections invoked	Under Section 8 (c) r/w.s. 20 (b) (ii) of NDPS
5	Maximum punishment prescribed for 8 (c) of NDPS	Small Quantity: Rigorous imprisonment up to 6 months, or a fine up to Rs. 10,000, or both. Intermediate Quantity: Rigorous imprisonment for up to 10 years, along with a fine that may extend to Rs. 1 Lakh. Commercial Quantity: Rigorous imprisonment for 10 to 20 years, along with a fine ranging from Rs. 1 Lakh to Rs. 2 Lakhs.
	Maximum punishment prescribed for r/w.s. 20 (b)(ii) of NDPS	Rigorous imprisonment up to 1 year, or a fine of up to Rs.10,000, or both.

(B)
CUSTODY AND PROCEDURAL COMPLIANCE

6	Date of Arrest	01/06/2026
7	Total Period of custody undergone	10 Days.

(C)
STATUS OF TRIAL

1	State of Proceedings (Investigation/charge-sheet/cognizance/Framing of Charge/Trial)	Investigation
2	Total number of witnesses cited in the charge-sheet	-

3	Number of prosecution witnesses examined		-	
(D) CRIMINAL ANTECEDENTS				
Sr.No.	C.R. No.	P. Stn.	P.U.S.	Status
1	390/2018	Santacruz	324, 504 of I.P.C. r/w.s. 37 (1) r/w.s. 135 of B.P Act	Disposed
2	589/2018	Santacruz	452, 323, 504, 506 (2) of I.P.C.	Not Heard
3	76/2019	Santacruz	379, 427 of I.P.C.	Disposed
4	18/2019	Santacruz	124 of B. P Act	NA
5	293/2019	Santacruz	379 of I.P.C.	Not Heard
6	276/2019	Santacruz	379 of I.P.C.	Disposed
7	17/2021	Santacruz	3, 25 of Arms Act	Not Heard
8	213/2021	Santacruz	504, 506 (2) r/w.s. 34 of I.P.C.	Not Heard
9	218/2021	Santacruz	324, 323, 506 of I.P.C.	Not Heard
10	336/2021	Santacruz	324, 323, 506 of I.P.C.	Not Heard
11	344/2021	Santacruz	379, 380, 461, 427 r/w.s. 34 of I.P.C.	Not Heard
12	277/2022	Santacruz	307, 323, 506 r/w.s. 34 of I.P.C.	Committed
(E) PREVIOUS BAIL APPLICATION				
1	Court		--	
2	Case No.		--	
3	Outcome of case		--	
(F) COERCIVE PROCESSES				
1	Whether any nonailable warrants was issued		No	
2	Whether declared a proclaimed offender		No	

1. The accused Mustak Mazhar Khan is arrested on 01/06/2026 in above crime and thereafter on 03/06/2026 he is taken into MCR. On same day he has made present bail application. The accused sought bail on the ground

that, the accused is falsely implicated in the said crime. Alleged property is already recovered. He is permanent resident of Mumbai and undertakes that he would not abscond or tamper prosecution witnesses. Accused is ready to abide by any conditions imposed by the court.

2. Say of I. O. and Ld. APP was called. I.O. and Ld APP have filed their say and opposed the application on the ground that, alleged offence is cognizable and non-bailable in nature, 743 grams of Ganja was recovered from the accused, accused is habitual offender, 12 other cases registered against accused, investigation is in progress, there is strong possibility of tampering with prosecution evidence and absconding. They both prayed for rejection of application.

3. Heard Ld. APP and Ld. Advocate for the accused, at length. Both are argued as per their stands.

4. As per remand report, accused is arrested on 01/06/2026 and on 03/06/2026 he is remanded to judicial custody. The alleged property is recovered from the possession of the accused.

5. Considered the facts of the case, it is true that there are 12 offences are registered against the accused. Mere registration of an offence can not itself create ground for rejection of bail application. Prosecution given information about offences but not filed a copy of Judgment which shows that the accused is convicted. More over recovery is completed. It is true recovery is under NDPS Act but not a Commercial Quantity seized. Investigating officer seized Ganja. No recovery is remained. No purpose would be served by keeping accused behind the bar. Accused is ready and abide each and every condition imposed

by this Court. Liberty of a person is the constitutional right. Bail is a rule and jail is an exception. Therefore, it is just and proper to release said accused on bail. Hence, following order :-

ORDER

- i) The application is allowed.
- ii) The accused be released on bail on his executing P.B. & S.B. of Rs.20,000/-.
- iii) The accused shall not contact the informant or any other prosecution witnesses in any manner.
- iv) The accused shall attend concern police station on each Monday and Thursday between 11.00 a.m. to 2.00 p.m., till filing of final report or two months from today whichever is earlier.
- v) The bail order be emailed to Jail Superintendent, Mumbai Central Prison, Arthur Road, Mumbai, immediately.

Date : 10/06/2026
ARD

(S. M. Ghuge)
Judicial Magistrate (First Class),
71st Court, Bandra, Mumbai.