

**Order on Bail Application Exh.10 in Sessions Case No.9 of 2026**

{Faiz Shabbir Shaikh Vs. State}

This is an application under section 483 of the Bharatiya Nagrik Suraksha Sanhita for grant of regular bail in CR 403/2025 registered with Mumbai Naka Police Station for offence under Section 8(c), 22(b) and 29 of NDPS Act after filing of Charge-sheet.

2. Perused the application, charge-sheet and say of I.O. Heard both the sides.

3. Present applicant is accused No.1 arrested on 07.11.2025. In all there are 08 accused. Accused Nos.1 to 7 are arrested. On 06.11.2025 at 23.50 hrs. at Kathe Galli, Nashik accused Nos. 1 to 4 were found selling narcotic substance MD. Accused No.1 Faiz brought 6.5 gram MD worth Rs.32,500/- from his companions Adnan and Shadab of Shrirampur. The accused are involved in the chain of procuring and selling narcotic substance. Present applicant was found in possession of 6.5 gram MD worth Rs.32,500/-. The whats-app photographs in his mobile show pictures of narcotic substance sent to him by accused No.5 Adnan. He is doing whats-app chatting for narcotic substance is prima facie seen in evidence. Present applicant and accused No.5 Adnan have money transaction for Rs.1,08,015/- from June 2025 to November 2025. The accused from whom he obtained the MD are from Shrirampur, also arrested. The mobile phones are seized. There are several calls between them.

They are involved in the sale of narcotic substance by use of mobile phone and whats-app.

4. Ld. Advocate for applicant submitted that, investigation is over. The commercial quantity is not found. There is no criminal antecedent. There is no necessity to keep applicant in jail. He is innocent and falsely implicated. The punishment is not more than ten years. The provisions of Section 42 and 50 of NDPS Act are not followed by the police.

Ld. Advocate for applicant relied upon Hon'ble Bombay High court in the case of **Rahul Ashok Brahmane Vs. State of Maharashtra in Bail Application No.5476 of 2024** in which it is held that, *"The applicant has been in custody more than one year. He is a young boy aged about 22 years. The trial is yet to commence and is likely to take considerable time to conclude, given the heavy pendency of the cases"*.

5. Ld.A.P.P. pointed that, the bank statement of the other accused shows several transactions with present applicant which are from the sale of narcotic substance. The other co-accused involved are already having C.R. No.469/2025 under Section 8(c), 22(b), 29 of NDPS Act lodged against against them. Present applicant is connected with such co-accused and have money transaction with them. The narcotic substance is procured from other person from Shrirampur by accused No.1.

6. The offence under NDPS Act is serious in nature. There is intermediate quantity found in possession of applicant. The bank

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statement shows transaction of Rs.1,08,015/- which is towards the sale of narcotic substance is prima facie seen. There is chain of accused involved doing different roles. Taking into consideration the serious offence, it is not fit to grant bail. Hence, the following order,

**ORDER**

Bail Application is hereby rejected.

Date: 12.02.2026.

( Smt. Priti Kumar Ghule )  
Additional Sessions Judge-6, Nashik.