

Order on Bail Application Exh.11 in Sessions Case No.9 of 2026

{Shaikh Faizan Farooq @ Prince 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.6 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 for 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. The whats-app photographs in the mobile show pictures of narcotic substance sent by accused. They are on whats-app chatting for narcotic substance is prima facie seen in evidence.

Accused No.1 has money transaction for Rs.1,08,015/- from June 2025 to November 2025. The co-accused are involved in other CR for offence under NDPS. The accused No.1 obtained the MD are from Shrirampur, those accused are arrested. The mobile phones are

seized. There are several calls between them. They are involved in the sale of narcotic substance by use of phone and whats-app.

4. Ld. Advocate for applicant submitted that investigation is over. The commercial quantity is not found. There is no necessity to keep applicant in jail. He is innocent and falsely implicated. The punishment is not more than 10 years. The provisions of Section 42 and 50 of NDPS Act are not followed by the police. DD Kit which is mandatory procedure at the time of seizure is not followed. Place of raid is very crowded area, statements of independent witnesses are not recorded. The photographs of raid are not recovered. Applicant is implicated on basis of phone calls between other accused, it is not conclusive proof. He is falsely implicated. Ld. Advocate submits that, CR No.403 of 2025 for offence under NDPS registered with Mumbai Naka police station is on basis of secret information.

5. Ld.APP pointed that, during investigation it is found that present applicant has held in the sell and sold the contraband obtained from co-accused No.1 and No.5. The applicant was in contact with other accused. They are sending photographs of contraband on whats-app and chatting about contraband which chats and photographs are seized under panchanama. Present applicant has 406 calls with accused No.5 Adnan. The applicant received contraband from accused No.5. They are all doing different roles for sale of contraband.

6. There is material against applicant and co-accused to connect them and show involvement. They are chain of accused

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connected with each other and communicating through whats-app for sale. They are exchanging photographs of contraband and chatting shows their involvement in performing the offence. In these circumstances, as offence is serious hence, he is not entitled for bail. Hence, the following order,

ORDER

Bail Application is hereby rejected.

Date: 12.02.2026.

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