

MHRG010011762025



Spl. (NDPS) Case No. 76/2025

State of Maharashtra
through PSO Alibag Police Station
V/s.
Paramjeet Dilip Chaudhari & Ors.

:: ORDER BELOW EXH. 10 and 11 ::
[Passed on 03.11.2025]

1. These bail applications are filed by applicants/**accused no. 1** Paramjeet Dilip Chaudhari and **accused no. 2** Imran Hassanmiya Biya, u/sec. 483 of Bharatiya Nagari Suraksha Sanhita, 2023 (in short BNSS), in the present case arising out of Crime No. 153/2025 registered with Alibag Police Station u/sec. 20(b), 20(b)(ii)of The Narcotic Drugs and Psychotropic Substances Act, 1985 (in short NDPS Act).

2. Perused the bail application and say of the prosecution. Heard Adv. Bagwe for applicants/accused no. 1 and 2 and ld. P.P. Shri. Santosh Pawar for state.

3. It is the case of the prosecution that, on 25.08.2025 PI Sale received information that two persons are coming to sell and purchase Narcotic Drug in the area of Siddharth Nagar to Saviri Building. Accordingly they laid trap in front of Guruji Hotel at Siddharth Nagar, Alibag. Accused No. 1 Paramjeet

Chaudhari was found in possession of 5 packets of Ganja weighing 12 gms each. Accused no. 2 Imran Biya fled from the spot but he was accosted later. Accused no. 2 was found in possession of 1.118 kg Ganja. Accordingly, Crime No.153/2025 had been registered against the accused at Alibag Police Station under Section 20(b), 20(b) (ii) of the NDPS Act.

4. Ld. Adv. Shri. Bagwe for accused no. 1 and 2 submits that, accused no. 1 was found in possession of Ganja which was less than small quantity and accused no. 2 was found with intermediate quantity of Ganja. He further submitted that, the first bail application of above named accused no. 1 and 2 were rejected prior to filing of the charge-sheet. He further submitted that, now the investigation is completed and charge-sheet is filed, that is sufficient change in the circumstance. He further submitted that, the panchas utilized in this crime are government servants and therefore there is no question of threatening the witnesses. He further submitted that, accused are ready to abide by the terms and conditions that may be imposed by this court and prayed for allowing the bail applications.

5. Prosecution has opposed the bail of accused no. 1 and 2 by filing say at Exh. 14 and 15 contending that, accused no. 1 is native of Bihar State and if he is released on bail there are chances of his absconding. He further submits that, Forensic Science Report is still awaiting and three of the Co-accused are still absconding. He further submits that, PAYTM bank

statement relating to bank transaction shows that, accused used to purchase Ganja from Dilip Jadhav who is absconding. He further submits that, accused are Drug Peddlers and considering the seriousness of offence, the possibility of absconding of accused cannot be ruled out and prayed that bail applications of accused no. 1 and 2 be rejected.

6. It is no more res integra that filing of charge-sheet is sufficient to say that, there is change in the circumstance and therefore this court can very well entertain the bail application though their earlier bail applications were rejected prior to filing of the charge-sheet. Applicant/accused no. 1 Paramjeet Chaudhari was found in possession of 5 packets of 12 gms each of Ganja which is small quantity and accused no. 2 Imran Biya was found in possession of 1.118 kg Ganja. Quantity of Ganja found in possession with accused no. 1 is less than small quantity whereas the quantity of Ganja found with accused no. 2 is intermediate quantity. Investigation is completed and charge-sheet is filed. Accused no. 1 is resident of Bihar that cannot be the reason for rejection of bail application as his presence can be secured by imposing necessary conditions. There is no bar u/sec. 37 of NDPS Act to grant of bail in view of quantity involved in the present case. Therefore I am inclined to grant the bail application by imposing certain conditions. Hence, following order :-

:: ORDER ::

1. Bail applications at Exh. 10 and 11 in Spl.(NDPS) Case No. 76/2025 are hereby allowed.
2. Applicant/accused no. 1 Paramjeet Dilip Chaudhari and applicant/ accused no. 2 Imran Hasanmiya Biya, be released on bail on executing PR bond of Rs. 25,000/- each with one or two sureties of like amount.
3. Applicants/Accused shall not in any way indulge in any criminal activities and they shall not influence the witnesses or otherwise interfere with the fair trial.
4. Applicants/Accused shall furnish the self attested documents showing their residential address and Adhar Card, Pan Card if any and furnish their mobile numbers.
5. Applicants/Accused shall not leave India without permission of the Court.
6. Applicants/Accused shall attend the Court on each and every date.
7. If Applicants/Accused violates any of the bail conditions, ld. P P. will be at liberty to move the application for cancellation of bail.

Sd/-

(R. D. Sawant)

Sessions Judge, Raigad-Alibag.

Place: Alibag

Date: 03.11.2025.

CERTIFICATE

I affirm that, the contents of this P.D.F file order are same, word to word, as per the original order.

Name of Stenographer : Smt. S. S. Puro (Grade- I)

Court : Principal District Judge,
Raigad-Alibag.

Date of Order : 03.11.2025.

Order signed by the
Presiding Officer on : 03.11.2025.

Order uploaded on : 04.11.2025.