

MHRG170002552026



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, PANVEL RAIGAD

AT : PANVEL

ORDER BELOW EXHIBIT NO. 1

IN CRIMINAL BAIL APPLICATION NO.121/2026

(Dated 11/03/2026)

The applicant Akash Ravi Joseph has filed present application for anticipatory bail u/sec.482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in C.R.No.28/2026 registered with Panvel City police station for the offences p/u/sec. 8(c), and 20(b)(ii) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. In short the prosecution case is that, on 06/01/2026 at about 01.00 a.m. the informant police constable Narhari Rajendra Kshirsagar and other police personnel were on patrolling duty. When they came to Bhagat chawl situated near Sai Baba temple, they found two persons were sitting on chairs. Their movements were suspicious. They were selling something. On seeing that senior PI Shri Nigade asked the driver of the vehicle to stop the vehicle. They further directed the members of patrolling team to apprehend said two suspicious persons. On getting wind of police, one suspicious person sitting on chair fled away from the said place. The members of patrolling team apprehended another suspicious person. When they asked him his name, he disclosed his name as Sagar Ravi Joseph. He also disclosed the name of

person who fled away from the said spot as Aakash Ravi Joseph i.e. the present applicant. The members of patrolling team found one white coloured plastic bag in front of co-accused Sagar Joseph. The said plastic bag was containing Ganja weighing 1 kg 158 gms. The members of patrolling team thereafter completed the all formalities as envisaged under NDPS Act. The informant thereafter set the criminal law into motion by lodging detailed report with Panvel City police station. On the basis of report so lodged by informant, an offence came to be registered against applicant and co-accused vide C.R.No.28/2026 under above mentioned sections.

3. As an offence came to be registered against applicant, he apprehends his arrest in connection with said offence, hence, it is prayed that in the event of his arrest, he be enlarged on bail contending that he is innocent and has been falsely implicated in the crime in question.

4. Heard Ld. Advocate Shri. A. G. Khillare for the applicant and Ld. Spl. P.P. Shri R. E. Yerunkar for the opponent State. Perused application, say filed by opponent state at Exh.6 and other documents placed on record.

5. Shri. Khillare the Ld. Advocate for applicant argued that the applicant is innocent. He has no nexus with the crime in question. Shri. Khillare further submitted that the contraband allegedly recovered from the possession of co-accused Sagar

Joseph. The involvement of present applicant came to be revealed from the disclosure statement made by co-accused Sagar Joseph. Said disclosure statement does not have any evidentiary value in law. Shri Khillare further argued that the investigation is practically completed. Nothing is to be recovered at the instance of present applicant. Taking into account custodial interrogation of applicant is not required. He is ready to abide by the terms and conditions which may be imposed by the Court. Hence, Shri. Khillare prayed that relief of pre-arrest bail be granted to applicant.

6. Per contra, Shri Yerunkar the Ld. Special PP. argued that the offence is serious and antisocial. The applicant and co-accused were in possession of 1 kg 158 gms Ganja. On seeing police the present applicant fled away from the spot of incident. Considering the conduct of the applicant and the seriousness of the crime in question, for just investigation his custodial interrogation is necessary. Hence, Shri. Yerunkar prayed that the application be rejected.

7. I have carefully heard submissions advanced by both the Ld. Advocates. I have also gone through the material placed on record. On perusal of papers it seems that, recovery of 1 Kg 158 gms Ganja was effected from co-accused Sagar Joseph. The said quantity is much less than commercial quantity. Therefore, the rigors of section 37 of the NDPS Act would not be attracted to the present case. In view of above I am of the opinion that custodial

interrogation of applicant is not warranted. So far as the investigation is concerned, the presence of applicant can be secured before concerned investigating officer by imposing certain conditions upon him. This is fit case where the discretion of granting relief of pre-arrest bail deserves to be exercised in favour of present applicant. Resultantly, I pass the following order.

ORDER

1. The application is allowed.
2. In the event of arrest of applicant Akash Ravi Joseph in Crime No.28/2026 registered with Panvel City police station, for the offences p/u/sec. 8(c), and 20(b)(ii) of the Narcotic Drugs and Psychotropic Substances Act, 1985 he shall be released on bail on his executing PR Bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction concerned investigating officer.
3. The applicant shall attend Panvel City Police station on **13/03/2026, 14/03/2026 and 15/03/2026** between 10.00 a.m. and 01.00 p.m. and shall make himself available for interrogation as and when required by the investigating officer and shall co-operate with the investigation.
4. The applicant shall not directly or indirectly make any inducement, threat and promise to any person, acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or any police officer.
5. Inform the concerned police station.

Panvel
Date :- 11/03/2026

(S. R. Ugale)
Additional Sessions Judge, Panvel

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 the stenographer	:	S.J.Sheth
Name of the Court	:	Additional Sessions Judge, Panvel Raigad
Date of dictation (direct)	:	11/03/2026
Order checked and signed by the P.O.on	:	11/03/2026
Order uploaded on	:	12/03/2026