

MHRG170010092025



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, PANVEL-RAIGAD, AT :
PANVEL
ORDER BELOW EXHIBIT NO.3 IN SPECIAL (NDPS) CASE NO.127/2025
(DATED 27/03/2026)

The applicant Chinedu Stanley Onyeka has filed present application for regular bail U/Sec.483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in Crime No.10/2025 registered with Narcotic Control Bureau, Mumbai for the offences punishable under sections 8(c), 21(b) and 29 of The Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as the “NDPS Act”).

2. In short the prosecution case is that, on 26/03/2025 NCB has received a specific information that on 27/03/2025 the present applicant who is a Nigerian National, was going to deliver substantial amount of Cocain to one of his associates. The said information was conveyed to superior officials and after getting their permission, one raiding team including informant came to be formed. Thereafter the members of raiding team raided the premises wherein the applicant was staying. In the said raid 20 gms of Cocain came to be seized at the instance of present applicant. The members of NCB

thereafter completed all necessary formalities as envisaged under NDPS Act. The informant thereafter set the criminal law into motion by lodging detailed report with NCB, Zonal Unit. On the basis of report so lodged by informant, an offence came to be registered vide C.R.No.10/2025 under above mentioned Sections.

3. Heard Ld. Advocate Shri.Tanveer Patel for the applicant and Ld.Spl.PP Shri. C.J.Irani for the opponent State. Perused application, say filed by opponent state at Exh.4 and other documents placed on record.

4. Shri. Patel argued that the applicant is innocent. He has been falsely implicated in the crime in question on the ground of suspicion. Shri Patel further argued that, the investigating agency has already seized the entire contraband. Nothing is remained to be recovered at the instance of present applicant. Shri Patel further argued that the raiding team failed to comply with the mandatory provisions laid down in Sec.42 and 50 of the NDPS Act, while conducting the raid. The investigation is almost completed. Since 27/03/2025 the applicant is languishing in the jail. In such circumstances further detention of applicant in jail is not required. The applicant is ready to abide by the terms and conditions which may be imposed by the Court. Hence, Shri. Patel prayed that the applicant be enlarged on bail.

5. Per contra, Shri.Irani, the Ld.Spl. PP submitted that the offence is serious and antisocial. 20 gms Cocain came to be seized at the instance of present applicant. The applicant is foreign national. Considering aforesaid aspects, if applicant is released on bail, definitely he will indulge again in similar kind of offence. Likewise, the possibility of his fleeing away from the course of justice cannot be ruled out. Hence, Shri. Irani prayed that the application be rejected.

6. 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 clearly seems that recovery of 20 gms Cocain was effected at the instance of applicant. As the quantity of seized Cocain is intermediate quantity, rigors of section 37 of the NDPS Act would not be attracted to present case. Furthermore, it is pertinent to note that since 27/03/2025 applicant is languishing in the jail. The investigation is complete and charge-sheet has been submitted in the Court. Considering aforesaid aspects and allegations leveled against applicant, in my view his further detention in jail is not warranted. So far as the apprehension raised by Ld. Spl. PP is concerned, it can be taken care by imposing certain conditions upon applicant. Resultantly, I pass the following order.

ORDER

1. The application is allowed.

2. The applicant Chinedu Stanley Onyeka shall be released on bail in Crime No.10/2025 registered at Narcotic Control Bureau, Mumbai for the offences punishable under sections 8(c), 21(b) and 29 of The Narcotic Drugs and Psychotropic Substances Act, 1985 on his executing PR bond in the sum of Rs.50,000/- with one surety in the like amount.
3. The applicant shall attend the Court on each and every date of hearing.
4. The applicant shall make himself available as and when required by the concerned investigating officer.
5. 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 him from disclosing such facts to the Court or any police officer.
6. Copy of this order be sent to concerned jail authority.

Panvel
Date :-27/03/2026

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

CERTIFICATE

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

Name of Stenographer	:	S. J. Sheth Grade 1
Name of Court	:	District Court-1 and Additional Session Court Panvel
Date of dictation (direct)	:	23/03/2026
Order checked and singed by PO on	:	25/03/2026
Order uploaded on	:	25/03/2026