

MHRG170018872025



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE PANVEL RAGIAD**  
**AT : PANVEL**  
**ORDER BELOW EXHIBIT NO. 3 IN SPECIAL CASE NO.225/2025**  
**(Dated : 30/12/2025)**

The applicant Laxman Jaitu @ Devram Fasal has filed present application for regular bail under section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023.

2] In short the prosecution case is that, on 11/08/2025 at about 02.15 a.m. Neral Police Station received a secret information about suspicious activities at village Tadwadi. Acting upon said information, police team conducted raid at about 04.00 a.m. on one house situated at village Tadwadi. During the raid five persons were found allegedly preparing a contraband substance with the help of various chemicals and laboratory equipments. Several chemical drums, glass containers, stirrers, heating machines and other articles came to be seized from the spot. Said five persons were arrested from the premises. Subsequently, on 17/08/2025 the present applicant, who is the owner of the said premises was also arrested on the allegation that, he allowed his house to be used for conducting such activities. Thereafter, on the basis of report so lodged by informant police naik Nilesh Vijay Kondar, an offence came to be

registered against applicant and co-accused vide C.R.No.137/2025 for the offences p/u/sec. 8(c), 30, 29, 27 (a) and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985.

3] Heard learned advocate Smt. Milka Gharat for the applicant and learned Spl. PP Shri Y. S. Bhopi for the opponent-State. Perused the application, say filed by opponent-State at Exh.6 and other documents placed on record.

4] Smt. Gharat argued that the applicant is innocent. He has no nexus with the crime in question. The applicant was the owner of the house where alleged activities of preparing contraband were going on. Smt.Gharat further argued that, the applicant was completely unaware about the said activities allegedly conducted by co-accused at his premises. There is absolutely no iota of evidence against the applicant to connect him with the crime in question. The applicant has no antecedents. The investigation is complete and charge-sheet has been submitted in the Court. Since 17/08/2025 the applicant is languishing in the jail. Taking into account aforesaid circumstances, his further detention in jail is not required. He is ready to abide by the terms and conditions which may be imposed by the Court. Hence, Smt. Gharat prayed that the applicant be enlarged on bail.

5] Per contra, Shri Bhopi, the learned Spl PP submitted that the offence is serious and antisocial. The applicant allowed his owned premises to co-accused for manufacturing contraband. The burden to rebut the presumption laid down u/sec.54 of NDPS Act, is upon applicant. Despite knowing that, co-accused are engaged in manufacturing contraband, present applicant allowed his premises to them. Considering aforesaid circumstances and allegations leveled against applicant, if he is enlarged on bail, definitely he will indulge again in similar kind of activities. The possibility of applicant jumping the bail also cannot be ruled out. Hence, it is prayed by Shri Bhopi that the application be rejected.

6] I have carefully heard the submissions advanced by both the learned advocates. I have also gone through the material placed on record. The applicant was the owner of the house wherein alleged activities of manufacturing contraband were going on. It is pertinent to note that, no contraband came to be seized at the instance of applicant and co-accused. The investigation is complete and charge-sheet has been filed in the Court. Since 17/08/2025 the applicant is languishing in the jail. Considering aforesaid aspects, facts and circumstances of the case and allegations leveled against applicant in my view no purpose will be served by keeping applicant behind bars for further period. Hence, I pass the following order.

**ORDER**

1. The application is allowed.

2. The applicant Laxman Jaitu @ Devram Fasal shall be released on bail in Special Case No.225/2025 arising out of C.R. No.137/2025 registered with Neral Police Station on his executing PR bond in the sum of Rs.1,00,000/- with two sureties in the like amount.
3. The applicant shall attend the Trial Court on each and every date of hearing.
4. The applicant shall furnish his contact number and residential address to the investigating officer and shall keep them updated, in case there is any change.
5. 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 them from disclosing such facts to the Court or any police officer.
6. Copy of this order be sent to concerned jail authority.

Panvel  
Date :- 30/12/2025.

(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) : 30/12/2025  
Order checked and singed  
by PO on : 30/12/2025  
Order uploaded on : 31/12/2025