

MHRG170018872025



IN THE COURT OF ADDITIONAL SESSIONS JUDGE PANVEL RAGIAD
AT : PANVEL
ORDER BELOW EXHIBIT NO. 31 IN SPECIAL CASE NO.225/2025
(Dated : 05/02/2026)

The applicant Mohhammad Jafar Mohhammad Ali 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 present applicant and other co-accused 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. Applicant and co-accused were arrested from the premises. Subsequently, on 17/08/2025 the co-accused Laxman Jaitu @ Devram Fasal, who was 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. Asmita Sali for the applicant and learned Spl. PP Shri S. S. Pawar for the opponent-State. Perused the application, say filed by opponent-State at Exh.37 and other documents placed on record.

4] Smt. Sali argued that the applicant is innocent. He has no nexus with the crime in question. The provisions laid down in Section 42 of NDPS Act are not complied with while conducting raid. The chemical which was found at the spot is not used for making Mephadrone. The raiding team failed to see the chemical on the spot. The applicant was not informed about his arrest. The para (8) of arrest memo is blank. Smt. Sali further argued that, the investigation is complete and charge-sheet has been filed in the Court. Since 11/08/2025 the applicant is languishing in the jail. Considering aforesaid circumstances his further detention in the jail is not required. The applicant is ready to abide by the terms and conditions which may be imposed by the Court. Hence, Smt. Sali prayed that the applicant be enlarged on bail.

5] Per contra, Shri Pawar, the learned Spl PP submitted that the offence is serious and antisocial. The applicant was caught raid handed at the spot while manufacturing Mephodrone. The applicant has to rebut the presumption laid down u/sec. 54 of NDPS Act. Considering the 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 his jumping the bail also cannot be ruled out. Hence, it is prayed by Shri Pawar 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. From papers it is seen that, the only allegation against applicant and co-accused is that, they were engaged in manufacturing contraband Mephadrone. However, it is pertinent to note that, no completely manufactured contraband came to be seized at the instance of present applicant and co-accused. Further more it is also pertinent to note that the investigating agency has seized the entire muddemal articles from the spot of incident. Nothing is to be recovered at the instance of applicant. The investigation is complete and charge-sheet has been filed in the Court. Since 11/08/2025 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 him behind bars for further period. Hence,
I pass the following order.

ORDER

1. The application is allowed.
2. The applicant Mohammad Jafar Mohammad Ali 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 :- 05/02/2026.

(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/Clerk : P. P. Thakur, Junior Clerk
Name of Court : District Court-1 and Additional
Session Court Panvel
Date of dictation (direct) : 05/02/2026
Order checked and singed
by PO on : 05/02/2026
Order uploaded on : 05/02/2026