

MHRG170004362026



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, PANVEL-
RAIGAD, AT : PANVEL
ORDER BELOW EXHIBIT NO.1 IN BAIL APPLICATION NO.212/2026
(DATED 23/03/2026)**

The applicant Nos.1) Hrushikesh Jitendra Mishra and 2) Ketan Santosh Yadav have filed present application for regular bail U/Sec.483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in Crime No.84/2026 registered with Kharghar police station for the offences punishable under sections 8(c), 20(b)(ii)(A), 22(a), 22(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, while on patrolling duty on 27/02/2026 the informant police hawaldar Krishnaraj Balu Dhonde received reliable information and accordingly raided room No.2, Samrat Ashok building, Plot No.16, Sector 21, Kharghar. In the said raid applicant No.1 was found in possession of 44.26 gms hydro Ganja, 6.79 gms MD and 3.17 gms MDMA. During the investigation it was revealed that the said contraband was supplied to him by applicant No.2 for the purpose of sell. The raiding team thereafter completed all the necessary formalities as envisaged under NDPS Act. The

informant thereafter set the vcriminal law into motion by lodging detailed report with Kharghar police station. On the basis of report so lodged by informant, an offence came to be registered vide C.R.No.84/2026 under above mentioned Sections.

3. Heard Ld. Advocate Shri. Indrajeet Bhosle for the applicant and Ld. Spl.PP Shri. Y.S.Bhopi for the opponent State. Perused application, say filed by opponent state at Exh.6 and other documents placed on record.

4. Shri. Bhosle argued that the applicants are innocent. They have been falsely implicated in the crime in question on the ground of suspicion. Shri Bhosle 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 Bhosle further argued that applicants have no antecedents. Since 27/02/2026 both applicants are languishing in the jail. The investigation is practically completed. In such circumstances further detention of applicants in jail is not required. They are ready to abide by the terms and conditions which may be imposed by the Court. Hence, Shri. Bhosle prayed that applicants be enlarged on the bail.

5. Per contra, Shri. Bhopi, the Ld. Spl. PP submitted that the offence is serious and antisocial. 44.26 gms Hydro Ganja, 6.79

gms MD and 3.17 gms of MDMA came to be seized at the instance of present applicants. Considering aforesaid aspects, if applicants are released on bail, definitely they will indulge again in similar kind of offence. Hence, Shri. Bhopi 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 44.26 gms Ganja, 6.79 gms MD and 3.17 gms MDMA was effected at the instance of applicants. As the quantity of seized Ganja 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 27/02/2026 applicants are languishing in the jail. Substantial part of the investigation must have completed. Considering aforesaid aspects and allegations leveled against applicants, in my view their further detention in jail is not warranted. So far as the apprehension raised by Ld. Spl. PP is concerned, the same can be taken care by imposing certain conditions upon applicants. Resultantly, I pass the following order.

ORDER

1. The application is allowed.

2. The applicant Nos.1) Hrushikesh Jitendra Mishra and 2) Ketan Santosh Yadav shall be released on bail in C.R.No.84/2026 registered with Kharghar Police Station for the offences punishable under sections 8(c), 20(b)(ii)(A), 22 (a), 22(b) and 29 of The Narcotic Drugs and Psychotropic Substances Act, 1985 on their executing PR bond in the sum of Rs.50,000/- each with one surety each in the like amount.
3. Applicants shall attend concerned police station on every Monday between 11.00 a.m. and 02.00 p.m. till the filing of charge-sheet and make themselves available as and when required by the concerned investigating officer.
4. Applicants 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.
5. Copy of this order be sent to concerned jail authority.

Panvel

Date :-23/03/2026

(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