

MHCC020086302026



IN THE SPECIAL COURT FOR NARCOTIC DRUGS AND
PSYCHOTROPIC SUBSTANCES ACT, 1985, AT GREATER
BOMBAY

ORDER BELOW EXH.5
(BAIL APPLICATION)

IN

SPECIAL CASE (NDPS) NO.1038 OF 2026

Sahil Raju Bawankule,

Aged - 25 years, Occu. - Service,

R/o.: House no.2336, Near Hanuman

Mandir, Juni Wasti, Wathoda, Nagpur –
440008.

...Applicant/Accused no.2

V/s.

Union of India

(At the instance of AIU, CSMI, Airport,

T-2, Mumbai, vide F.No.SD/INT/AIU/
184/2026-AP 'D')

...Prosecution/
Respondent

Appearance :-

Ld. Adv. Mr. Madan Khansole for Applicant/Accused no.2.

Ld. SPP Geeta Nayyar for State/Respondent.

**CORAM : HH THE SPECIAL JUDGE
(N.D.P.S.) & ADDITIONAL
SESSIONS JUDGE, ARVIND
MANOHAR BHANDARWAR
(COURT ROOM NO.42)**

DATE : 14/08/2026

ORDER

The Applicant/accused no.2 namely **Sahil Raju Bawankule** has filed present application under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) seeking regular bail in

F.No.SD/INT/AIU/ 184/2026-AP 'D' registered with AIU, CSMI, Airport, T-2, Mumbai, for the offences punishable under Sections 20(b), 23(b), 28, 29, 30, 35, 54 r/w 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred as the N.D.P.S. Act).

Prosecution Case Narrated by the Applicant/Accused :-

2. It is the case of the prosecution that, on the basis of spot profiling on 11/12.04.2026, the officers of AIU-D Batch intercepted two passengers, namely Mrunal Manojrao Bhandakkar and Sahil Raju Bawankule. Both had arrived on 12/04/2026 from Bangkok Donmueang by Thai Lion Air Airlines Flight No. SL 2018 dated 11/04/2026, and they were intercepted at about 02:00 a.m. Following due procedure, their personal searches were carried out. However, nothing objectionable was found. Thereafter, the baggage of both of them was searched. In the presence of panchas and both suspects/passengers, a grey-coloured trolley bag carried by Sahil Bawankule, which was booked as checked-in baggage in the name of Mrunal Bhandakkar, was searched. On detailed examination of the trolley bag, 15 sealed plastic packets were found. The officers cut open the 15 sealed plastic packets and found fruiting and flowering tops of the plant purported to be Hydroponic Weed (Cannabis), having a strong pungent smell. The officers tested the same using a Field Testing Kit and found that it was Hydroponic Weed (Cannabis). The total weight of the contraband was 15,090 grams. The contraband was seized and sealed, both passengers were arrested, and the crime came to be registered against them.

Grounds for Bail :-

3. The accused has filed the application on the grounds that a false FIR has been filed. The investigation is complete and the charge-sheet has been filed. Therefore, no further custody of the applicant is

required. During the personal search of the applicant, nothing objectionable was found. During the search of the other bags of the applicant, nothing was recovered. The statement made before the Investigating Officer is inadmissible. The prosecution has not collected any independent material to show that the applicant was aware of the contents of the trolley bag. The applicant has no criminal antecedents. Hence, it is prayed that the application be allowed.

Prosecution Say :-

4. The prosecution strongly opposed the application and contended that the offence is serious in nature. The applicant has accepted his involvement in the present crime. The respondent has followed all the provisions of law while carrying out the search. The investigation is at a very preliminary stage. The associates of the applicant are yet to be arrested. Hence, it is prayed that the application be rejected.

5. Having gone through the application following points are framed for consideration and answered the same for the reasons to follow :-

Sr. No.	POINTS FOR DETERMINATION	FINDINGS
1.	Whether accused no.2 Sahil Raju Bawankule is entitled to bail ?	Yes
2.	What order ?	Application is allowed as per final order

As to Point Nos. 1 and 2 :-

6. Ld. Advocate for the applicant has submitted that nothing objectionable was found during the personal search of the applicant. The contraband was found in the trolley bag, which was in the name of accused No. 1. The investigation is complete and the charge-sheet has been filed. No fruitful purpose would be served by keeping the applicant behind bars. Hence, it is prayed that the applicant be released on bail.

7. Ld. SPP has strongly opposed the application and submitted that the investigation is going on. The associates of the accused who helped them import the contraband into India are yet to be arrested. She has further contended that even if the quantity of the seized contraband is an intermediate quantity, it has a higher intensity than ganja. It is not ordinary ganja. Hence, she has prayed that the application be rejected.

8. In the present case, the charge-sheet has been filed. This indicates that the investigation is completed in respect of the present applicant. The contraband seized in the present crime falls under the intermediate quantity. Therefore, the rigors of Section 37 of the Act are not applicable. The applicant cannot be kept behind bars for an uncertain period merely because the investigation is going on. Considering the intermediate quantity of contraband seized, the absence of criminal antecedents attributed to the applicant, and the fact that the investigation is complete and the charge-sheet has been filed, no purpose would be served by keeping the applicant behind bars. Hence, by imposing certain conditions, the applicant can be released on bail. In the result, the following order is passed -

ORDER

1. Bail Application (Exh.5) in Special Case N.D.P.S. No.1038/2026 is hereby allowed.
2. Accused no.2 namely **Sahil Raju Bawankule** be released on bail on executing Personal Bond of Rs.75,000/- (Rupees Seventy Five Thousand only) with one or two sureties in the like amount in connection with F.No.SD/INT/AIU/184/2026-AP 'D' registered with AIU, CSMI, Airport, T-2, Mumbai, for the offences punishable under Sections 20(b), 23(b), 28, 29, 30, 35, 54 r/w 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. In addition to that, the accused is further directed to deposit Rs.50,000/- (Rupees Fifty Thousand only) towards cash security.
4. As per para no. 12(1) of the Criminal Manual, the accused shall submit a list of at least 3 blood relatives with their detailed residential address and also the addresses of their place of work, if any and shall also produce documentary proof of showing the correctness of the details produced by him.
5. The accused shall provide his working mobile numbers, E-mail ID alongwith present and permanent address. The accused submitted documents in support of his permanent and present address.
6. The accused shall surrender his Passport, if he possesses and not seized earlier, with this Court.
7. The accused shall not tamper or intimidate the informant, panchas or any witnesses of the prosecution, so as to dissuade them from disclosing the facts of the crime before the Court.
8. The accused shall attend the hearing before this Court regularly and promptly.
9. The accused shall not indulge in any other offence and specifically in the offence under NDPS Act. If the applicant/accused is involved in the crime punishable under NDPS Act after releasing on bail in the present crime, the prosecution is at liberty to move an appropriate application for cancellations of bail.
10. The accused shall not leave the jurisdiction of this Court without prior permission of this Court.
11. The accused to abide by all the terms and conditions and on failure would entail cancellation of bail.
12. Any infraction of the aforesaid conditions shall entail cancellation of bail and he will be liable to be taken into custody immediately.
13. Bail Application stands disposed of accordingly.

14. The order is digitally signed; hence, it can be uploaded on Case Information System (CIS) and the printout of the digitally signed order, additionally signed by me, be kept on record as the physical record is maintained by the Court.

Date : 14/08/2026

(Arvind M. Bhandarwar)
Special Judge (N.D.P.S.) and
Additional Sessions Judge,
Court Room No.42
City Civil & Sessions Court,
Greater Mumbai.

Date of Signature : 14/08/2026

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER”		
UPLOAD DATE	TIME	NAME OF STENOGRAPHER
14/08/2026	05:35 p.m.	Kishor P. Sherwade (Stenographer Grade-I)
Name of the Judge		H.H.J. ARVIND MANOHAR BHANDARWAR (COURT ROOM NO.42)
Date of Pronouncement of Judgment/Order.		14/08/2026
Judgment/order signed by P.O on		14/08/2026
Judgment/order uploaded on		14/08/2026