

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER
CHARGESHEET) NO. 3856 of 2026**

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PUNARAM BABURAM BISHNOI

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR DARSHIT R BRAHMBHATT(8011) for the Applicant(s) No. 1

MR HARNISH V DARJI(3705) for the Respondent(s) No. 2

MR JIRGA JHAVERI, ADDL PUBLIC PROSECUTOR for the Respondent(s)
No. 1

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CORAM:**HONOURABLE MR.JUSTICE UTKARSH THAKORBHAI
DESAI****Date : 01/04/2026****ORAL ORDER**

1. The applicant came to be arrested by NCB, Ahmedabad on 09.08.2025 for the offence alleged to have been committed under sections 8(c), 15(c) read with 29 of The NDPS Act, 1985 which came to be registered vide C.R. No. NCB/AZU/CR-08/2022.

2. As per the prosecution case, on 09.04.2022, a team of officers of NCB, Ahmedabad, acting on a specific information, had seized 150.350 kgs of poppy straw,

which is covered under the definition of narcotic drugs, from the active possession of Dipak Modi and Shadamas Zakir Hussain, who were consequently arrested. During the course of investigation, it was revealed that, Dipak Modi, Shadamas Zakir Hussain, Puna Ram Bishnoi i.e. the present applicant and Gopal Gurjar were actively involved in the illegal business of buying and selling poppy straw. It was also revealed that, Gopal Gurjar used to send poppy straw from Mandsaur to Ahmedabad through Ashok Travels bus, wherein, the poppy straw would be hidden in garlic sacks. It was also revealed that, the poppy straw was sold to the present applicant at the rate of Rs.2500/- per kg.

3. Heard learned advocate Mr. Darshit R Brahmbhatt for the applicant, learned Advocate Mr. Harnish Darji for respondent no. 2 - NCB, Ahmedabad and learned APP Ms. Jirga Jhaveri for respondent no. 1 State.

4. At the outset, the seized quantity of poppy straw,

which is 150.350 kgs, is more than the commercial quantity. The investigation officer has seized the mobile phone of the applicant which contains incriminating chats and CDRs with the other co-accused. The applicant is shown as the receiver of the said contraband of poppy straw. It is pertinent to observe that, though the complaint came to be lodged on 08.04.2022, the applicant had remained absconded and came to be arrested only on 09.08.2025. It is further fruitful to observe that, the trial against two co-accused namely Dipak Shantilal Modi and Shadamas Zakir Hussain bearing NDPS Case No. 3/22 came to be concluded, and by way of judgement dated 21.12.2024, both the said co-accused came to be convicted by the Special Court at Kapadvanj (Kheda) for fourteen years of imprisonment and fine of Rs. 1 lakh, and if they are unable to remit the amount of fine, simple imprisonment for further one year.

5. Learned advocate Mr. Darji appearing on behalf of respondent no. 2 - NCB has drawn the attention of the

court to the fact that, though notices were sent under Section 67(C) of The NDPS Act 1985, the applicant had never responded to the said notices.

6. In view of the aforesaid facts and discussion, it does not deem fit to this court to exercise discretion in favour of the applicant and thus, the present application is hereby rejected.

(UTKARSH THAKORBHAI DESAI, J)

DIVYA