



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

942 BAIL APPLICATION NO. 1204 OF 2025

Rahul Rameshwar Hiwale

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Chatterji Joydeep

APP for Respondents: Mr. N. B. Patil

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CORAM : ARUN R. PEDNEKER, J.

Dated : July 18, 2025.

PER COURT :-

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail as he was arrested in connection with FIR No.0294/2024, dated 31/07/2024, registered with Naldurg Police Station, District Osmanabad, for the offences punishable under sections 8(c), 20(b), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act).
3. The learned Counsel for the applicant relied upon the order dated 07/07/2025 passed by this Court in BA/903/2025. He submits that the case of the present applicant is identical to that of the applicant in the said matter. It is stated that the co-accused, who was found in the vehicle transporting the contraband, has disclosed the name of the present applicant, alleging that he was present in a Swift Dezire vehicle that was escorting the vehicle from which the contraband is recovered. The Swift Dezire is stated to be owned by a relative of the applicant.
4. However, except for the statement of the co-accused, there is no

material on record connecting the applicant to the contraband seized. The applicant was not found in the vehicle transporting the contraband, and no recovery has been made at his instance.

5. The learned APP pointed out that the earlier bail application filed by the applicant was withdrawn. In response, the learned Counsel for the applicant submitted that the earlier bail application was filed prior to the filing of the charge-sheet, and the same was withdrawn. The present bail application is filed after filing of the charge-sheet.

6. As of today, the only material available against the applicant is the statement of the co-accused. The applicant was arrested on 03/08/2024, and the charge-sheet has been filed on 23/01/2025.

7. Considering the order dated 07/07/2025 passed in BA/903/2025, and taking into account the overall circumstances of the case, including the fact that the applicant was not found in the vehicle in which the contraband was seized and that his case stands on a higher footing than that of co-accused Vishnu Bhagwan Shinde, this Court is of the opinion that the applicant deserves to be released on bail. Accordingly, the applicant is granted bail.

8. In view of the above, the application is allowed in the following terms: -

a] The applicant shall be released on bail in connection with FIR

No. No.0294/2024, dated 31/07/2024, registered with Naldurg Police Station, District Osmanabad, for the offences punishable under sections 8(c), 20(b), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act), on furnishing PR bond of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

9. Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

10. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.