

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2332 OF 2025

Santosh Shivkumar Kesarwani ...Applicant
Versus
The State of Maharashtra And Ors. ...Respondents

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Mr. Aditya Raktade i/b Mr. Vivek Arote for Applicant.

Mr. S. H. Yadav, APP for the Respondent-State.

Ms. Kishori Sabale, PSI, Shahapur Police Station

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CORAM : SHIVKUMAR DIGE, J.
DATE : 12th NOVEMBER, 2025

P.C.

1. The Applicant is apprehending arrest in Crime No.255 of 2025 registered with Shahapur Police Station, Dist. Kolhapur for the offences punishable under Sections 8(c), 22(c) & 29 of the Narcotic Drugs and Psychotropic Substance Act 1985 (for short “NDPS Act”).

2. It is prosecution’s case that on 29th July 2025, on secret information, police intercepted accused No.1, who was carrying sack. In the search of said sack, Police found Mephedrone of 134.04 grams amounting to Rs.6,70,200/-. It is alleged that the said Mephedrone was supposed to be delivered to the applicant and other co-accused.

3. It is contention of learned counsel for applicant that the applicant has been falsely implicated in this case. No name of the applicant is mentioned in the FIR. The call transactions between applicant and the co-accused are in respect of business transaction. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is contention of learned APP that as per statement of accused No.1, police have arrested two co-accused. In their search, police have seized Mephedrone from both the co-accused. There are call records between arrested co-accused and applicant for 108 times during that period. It shows his involvement in the crime. The said Mephedrone was supposed to sell to the college students. Considering the allegations against applicant, his custodial interrogation is required and requested to reject the application.

5. I have heard both learned counsels, perused FIR and documents produced on record. The allegations against applicant are that the Mephedrone seized from accused No.1 was supposed to be delivered to the applicant. The co-accused from whom police have seized the Mephedrone had call records between applicant for 108 times. It cannot be considered for business purpose and these call records were during the period when accused No.1 was arrested by

the police. It shows involvement of the applicant in the crime. Investigation is progress. Considering these facts custodial interrogation of the applicant is required and I pass following order :

ORDER

Application is rejected and disposed off.

(SHIVKUMAR DIGE, J.)