Ajit Pathrikar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 4198 OF 2025

Ankit Shankar Nikalje ...Applicant
Versus
State Of Maharashtra ...Respondent

**Mr. Taraq Sayed** *a/w Anish Pereira and Ashwinii Achari, for the Applicant.*
**Ms. Anamika Malhotra**, *APP for the State-Respondent.*
**PI – Sandip Nigade**, *ANC, New Mumbai, is present.*

CORAM DR. NEELA GOKHALE, J.
DATED: 19th DECEMBER 2025

PC:-

**1.** The Applicant seeks his release on bail in connection with FIR No. 201 of 2025 dated 15th April 2025 registered with Nerul Police Station, ANC, Navi Mumbai for the offences punishable under Sections 20(b)(ii), 29 and 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, "NDPS Act"). There are in all 25 accused. The present Applicant is Accused No. 14.

**2.** The facts of the case, in brief, are that the main accused, namely Navin Chinchkar, used to supply contraband to various people in India by way of postal services. Some officials in the postal department and the customs department were on board with the said Chinchkar. It is alleged by the prosecution that this was a well-oiled drug racket, wherein said Chinchkar was supplying ganja, hydro ganja, etc. from Thailand and other places abroad to persons including the Applicant and co-accused in India, who then dealt with the same by selling it to users or dealers in India. The Applicant is one such person. The co-accused, Sahil Lambe, who was arrested, disclosed the involvement of the present Applicant in the said offence. Hence, after complying with the provisions of the NDPS Act, the police arrested the present Applicant on 12th May 2025, pursuant to the FIR registered against the Applicant and the co-accused.

**3.** The Applicant made an application seeking bail before the Additional Sessions Judge, Belapur. However, by order

dated 31st October 2025, the said application was rejected. Hence, the Applicant is before this Court for the relief as prayed.

**4.** Mr. Taraq Sayed, learned Counsel for the Applicant, at the very outset, has brought to my attention an order dated 8th December 2025 granting bail to the co-accused, Sahil Lambe. The role attributed to said Sahil Lambe is similar and identical to the present Applicant. He submits that nothing was recovered from the present Applicant. It is only on the basis of the statement made by said Sahil Lambe that the present Applicant was arrested. He thus submits that the Applicant be enlarged on bail.

**5.** Ms. Anamika Malhotra, learned APP, states that this is a well-oiled drug racket. All the co-accused are cohorts of said Chinchkar. The offence is serious. However, she fairly concedes that there are no antecedents against the present Applicant. The chats and WhatsApp messages exchanged between the co-accused, Sahil and the present Applicant are

on record, which indicate that the present Applicant is also associated with the said Sahil, who in turn was selling contraband received from the said Chinchkar. In these circumstances, she submits that the Bail Application be rejected.

**6.** I have heard learned Counsel appearing for the respective parties and perused the record with their assistance.

**7.** Admittedly, the co-accused is granted bail by order dated 8th December 2025. Small quantity of contraband was recovered from Sahil. However, prosecution has not placed any material on record to establish connection of the said Sahil with the main accused, Chinchkar, as there are no financial transactions nor any communication between the said Chinchkar and Sahil. In these circumstances, the co-accused was granted bail. The present Applicant stand on the identical foot as Sahil. Additionally, no contraband was recovered from the present Applicant. The chats and messages

are not significant to justify continued incarceration of the present Applicant. In these circumstances, I am of the view that the Applicant may not have committed the said offence. Considering that there are no antecedents against the Applicant, there is a possibility that he will not repeat the said offence while on bail.

**8.** In view of the aforesaid, I am inclined to enlarge the Applicant on bail and it is ordered as under:

ORDER

i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 1,00,000/- with one or two local sureties in the like amount;

ii) The Applicant shall attend the Police Station concerned, on first Monday of every month between 10:00 a.m. and 12:00 p.m., till the charges are framed. He shall also attend the Trial Court concerned on each and every date as directed, till the conclusion of the trial, save and except if the Applicant is exempted from appearance by orders of the Trial Court;

iii) If the Applicant has not deposited his passport, the Applicant shall deposit the same with the concerned Police Station, if any;

iv) The Applicant shall not leave India, without the permission of the Trial Court;

v) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

vi) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

vii) The Applicant to co-operate with the conduct of the trial;

viii) Any infraction of the aforesaid conditions shall entail cancellation of bail.

**9.** The Bail Application is allowed in the aforesaid terms and is accordingly disposed of.

**10.** It is made clear that the observations made herein are *prima facie* and are confined to this Application and the Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(Dr. Neela Gokhale, J)