

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 4341 OF 2024

Anant Sarjerao Jaybhave	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Aniket Vagal, Advocate for the Applicant.

Mr. T. G. Khan, A.P.P. for the Respondent – State.

Mr. Sachin Chaudhari (API), ANC, Crime Branch, Nashik
City, present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	17th FEBRUARY, 2025.

P.C.:

1. This is an application for regular bail

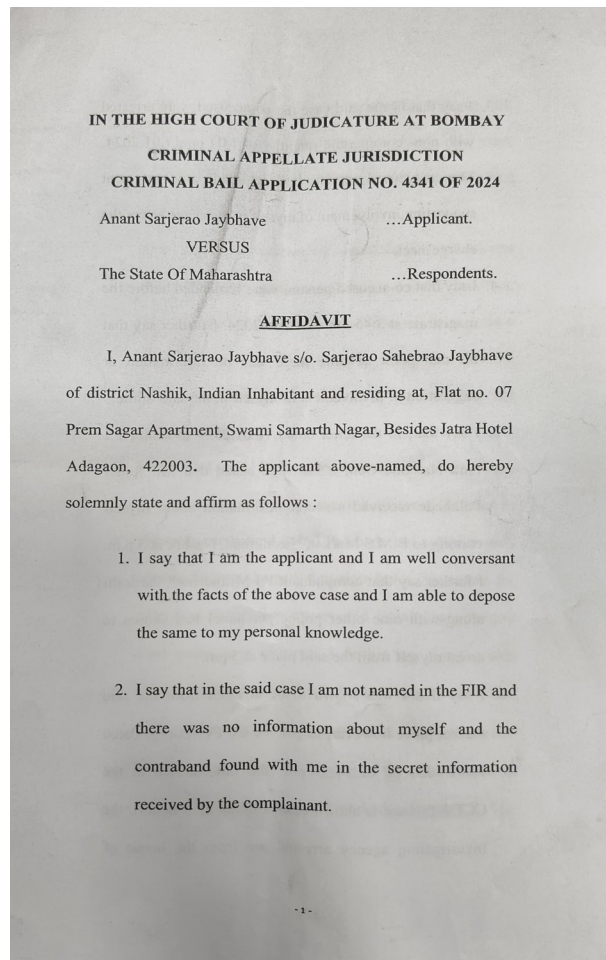
2. The applicant came to be arrested in Crime No.12 of 2024 registered at Indiranagar Police Station, Nashik, for the offences punishable under Sections 8(c), 22(b), and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. The present applicant is the Accused No.3 in the aforementioned crime.

4. On 17th January 2024, the Accused Nos.1 and 2 were

apprehended and about 20 gm of Mephedrone (MD) was found in their possession.

5. In the affidavit filed by the applicant dated 14-02-2025, the applicant has made serious allegations against the Investigating Officers. For the ease of reference the said affidavit is scanned and reproduced herein below :



3. I say that in the said case the co-accused were arrested with non- commercial quantity of MD on 17.01.2024. The co-accused persons had not made any statement suggesting involvement of myself in the crime as per the chargesheet.

4. I say that co-accused persons were remanded before the magistrate at 3:45 pm on 18.01.2024. I further say that till that point of time there was no information or suggestion of involvement of myself in the said crime.

5. I say that, in the letter dated 18.01.2024 to senior P.I Anti Narcotic Cell, it has been stated that Mr. Rahul Palkhede received a secret information about myself coming to B.M.S Market, Nashikroad, Nashik at 5 p.m. I further say that complainant P.I Milindsingh Pardeshi along-with nine other police personnel had shown to arrest myself from the said place at 5 pm.

6. I say that I was shown to be arrested from the said market place however, as per the CCTV footage dated 18.01.2024 @ 02.54.55 pm (the time shown in the CCTV footage is shown after a delay of 6 hours), the Investigating agency arrested me from the house of

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friend Atharva Uttam Parve residing at Flat No. 01, Ground Floor, Sagar Haritag, Kala Nagar Jail road, Nashik, Nashik - 422101. Hereto annexed and marked as Exhibit A.

7. I say that at the time of my arrest No Contraband was found from my conscious possession. I further say that, the alleged contraband was seized from my house 2 days after my arrest which prima facie establishes that the same was planted to maliciously rope me into the present case.

8. I say that I have Sand mine excavation business. I say that complainant and investigating officer of the team in the said case named Rahul Palkhede had called myself repeatedly over the period of time before my arrest for extortion, demanding money and installments for my sand business to continue. I further say that the said police personnel named Milindsingh Pardeshi and Rahul Palkhede has also threatened myself to implicate myself in a drug case. The CDR reports of the aforementioned calls are hereby annexed and marked as Exhibit B. The

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truck license and receipt of royalties of the said business are hereby annexed and marked as Exhibit C.

9. I say that for the production of the aforesaid CDR, I had filed an Application before Ld. Trial Court seeking its production as the aforesaid CDR reports have been duly gathered by the Investigating agency. Hereto annexed and marked as Exhibit D is the copy of the Application filed before the Trial Court seeking production of the CDR reports.

10. I say that at the time of the lodging of the present CR, I was not even shown as a wanted accused. I say that the Complainant being a Police Official was acquainted with me as he used to call me to extort money due to my sand mine business. I furthermore say that the secret information on the basis of which I have been implicated in the present case, the said information report is not on record.

11. I say that in the entire circumstances of the investigation of the present CR, there has been no hint and/or whisper suggesting my involvement in the present case.

Deponent.

Before me
14/02/2025

Before Superintendent of jail,
Nashik Central Prison

6. The allegations are of very serious nature. In that view of the matter, the Deputy Commissioner of Police (Crime), Nashik is hereby directed to inquire into the allegations made by the present applicant in the aforesaid affidavit. An endeavour shall be made to conclude the inquiry within a period of six weeks from the date of receipt of this order.

7. Considering the facts and circumstances of the case, I am inclined to release the applicant on interim bail till the conclusion of the inquiry.

8. The applicant shall be released on interim bail until further orders in Crime No.12 of 2024 registered at Indiranagar Police Station, Nashik, for the offences punishable under Sections 8(c), 22(b), and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 on furnishing the P. R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

9. List the present application for further consideration on 16th April 2025.

(N. R. BORKAR, J.)