

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1329 OF 2025

Karan Rajendra Sontake

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Amit Pradhan, learned Advocate for the Applicant.

Ms. Madhavi H. Mhatre, learned A.P.P. for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.

DATE : 18th AUGUST 2025.

P.C. :

1. Heard Mr. Amit Pradhan, learned Advocate for the Applicant and Ms. Madhavi Mhatre, learned A.P.P. for the State/Respondent.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**” for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 268 of 2023 registered with Indira Nagar Police Station, District-Nashik for the offences punishable under Sections 8(c), 20(b), 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (“**NDPS**” for short).

3. Mr. Amit Pradhan, learned Advocate for the Applicant submits that the abovesaid crime is registered as Special Case (NDPS) No. 88 of 2024 and is pending on the file of Additional Sessions Judge-8, Nashik.

4. There are 12 accused persons in the present crime. Applicant is Accused No. 9.

5. Case of the prosecution is that on 5th October 2023 at Sadik Nagar, Wadala Gaon near a ground behind MHADA Building inside the tin shed, the Police Officer (Informant) and other staff had arrested Wasim Rafique Shaikh (Accused No. 1) and Nasrin Imtiyaz Shaikh (Accused No. 2) with the contraband. Applicant is alleged to have supplied the contraband to Salman Shakeel Ahmed Falke (Accused No. 4).

6. Applicant was arrested on 2nd October 2024. Criminal Bail Application at Exhibit-53 filed by the Applicant in Special Case (NDPS) No. 88 of 2024, was rejected by the learned Additional Sessions Judge-8, Nashik by order dated 11th February 2025.

7. Mr. Amit Pradhan, learned Advocate for the Applicant submits that the Applicant is seeking bail on the sole ground of parity. He submits that Salman Shakeel Ahmed Falke (Accused No. 4) and Irfan Shaikh Noor Mohammad Shaikh @ Chipdya (Accused No. 8), whose involvement in the present crime is similar and identical to the involvement of Applicant, have been released on bail. He tenders a copy of order dated 19th July 2024 passed in Criminal Bail Application No. 2489 of 2024 in the case of Accused No. 4 (Salman Shakeel Ahmed Falke) and a copy of order dated 6th November 2024 passed by the Additional Sessions Judge-8, Nashik in Bail Application at Ex-43 in Special Case (NDPS) No. 88 of 2024 in the case of Accused No. 8 (Irfan Shaikh Noor Mohammad Shaikh @ Chipdya). Same are taken on record and marked as "X Colly."

for identification. He therefore submits that the Applicant, who is similarly placed in the present crime, is entitled to bail on the ground of parity. He submits that Accused Nos. 1, 3, 5, 6 and 7 are also released on bail.

8. Ms. Madhavi Mhatre, learned A.P.P. for the State/Respondent submits that the involvement of Applicant (Accused No. 9) is similar and identical to the involvement of Accused Nos. 4 and 8 in the present crime. She therefore submits that the case of Applicant can be considered on the ground of parity.

9. I have perused the records, the order dated 19th July 2024 passed in Criminal Bail Application No. 2489 of 2024 and the order dated 6th November 2024 passed in Bail Application at Ex-43 in Special Case (NDPS) No. 88 of 2024 with the assistance of learned Advocates of the parties.

10. Perusal of the charge-sheet reveals that the role assigned to the Applicant in Crime No. 268 of 2023 is similar and identical to the role assigned to Accused Nos. 4 and 8, as submitted by Mr. Amit Pradhan, learned Advocate for the Applicant and Ms. Madhavi Mhatre, learned A.P.P. for the State/Respondent. Accused Nos. 4 and 8 having been released on bail, the Applicant who is on the same footing, would be entitled to bail on the principle of parity.

11. In view of the above, the present Bail Application is allowed on the following conditions :-

a. Applicant is directed to be released on bail in

connection with Crime No. 268 of 2023 registered with Indira Nagar Police Station, District-Nashik for the offences punishable under Sections 8(c), 20(b), 22(c) and 29 of the NDPS Act on executing P.R. Bond in the sum of Rs. 1,00,000/- (Rupees One Lakh Only) with one or two local solvent sureties in the like amount to the satisfaction of the Additional Sessions Judge-8, Nashik.

- b. Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of accusation, so as to dissuade such a person from disclosing the facts to the Court or to any police personnel.
- c. Applicant shall not tamper with the prosecution evidence and shall not contact or influence any witness in any manner.
- d. Applicant upon his release from jail, within a period of three days from his release, shall furnish his cell phone number and residential address with proof to the Investigating Officer, Indira Nagar Police Station, District-Nashik and shall keep the same updated, in case of any change thereto.
- e. Applicant shall report/attend before the Investigating Officer, Indira Nagar Police Station, District-Nashik once in a week on every Saturday between 10.00 a.m. and 1.00 p.m. till conclusion of the trial in Special Case

(NDPS) No. 88 of 2024.

- f. Applicant shall co-operate in the conduct of the trial of Special Case (NDPS) No. 88 of 2024 and shall regularly attend the hearing of the case pending on the file of Additional Sessions Judge-8, Nashik, on each and every date, unless exempted from appearance.
- g. Applicant upon his release within a period of three days thereof, shall surrender his passport, if any, to the Investigating Officer, Indira Nagar Police Station, District-Nashik.

12. Criminal Bail Application No. 1329 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

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by GITALAXMI
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KOTAWADEKAR
Date:
2025.08.18
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