

Laxmi Sontakke
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1691 OF 2025

Nayan Rasikbhai Gadhesaria

.. Applicant

Versus

Union of India & Anr.

.. Respondents

-
- Ms. Munira Palanpurwalla, Advocates for Applicant.
 - Mr. Hitendra J. Dedhia for the State.
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CORAM : MILIND N. JADHAV, J.

DATE : MAY 05, 2025

P.C.:

1. Heard Palanpurwalla, learned Advocate for Applicant and Mr. Dedhia, learned APP for Respondent.

2. This is an Application under Section 439 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking Bail in connection with C.R. No.6 of 2024 registered with NCB.

3. The Applicant is arrayed as accused No.5 in the present crime. Accused No.4 whose name has been disclosed by accused No.1 has named the present Applicant as one of the supplier of the alleged contraband. Accused No.1 was initially apprehended on 10th April 2024 with the alleged contraband and he is under arrest since then. Alleged contraband is 15 kg of Nitrazepam tablets. Accused No.1 initially named accused Nos 2 and 3 as the purchasers of the alleged contraband but named accused No.4 as the supplier thereof. Accused

No.4 in disclosure under Section 67 of NDPS Act enquiry has stated that since he could not procure the entire contraband, he took assistance of present Applicant-accused No.5. Applicant is a Pharmacist by profession. There is disclosure statement made under Section 67 of the NDPS Act, and that apart *prima facie*, there is no other incriminating material against Applicant's complicity.

4. Issue notice to the Respondents. Union of India has been served. As usual when the matter is called out, none is present for the Union of India. This is repeatedly noticed by the Court. A copy of this order shall be served on Union of India.

5. Union of India is directed to file affidavit in reply positively within a period of 4 weeks from today. No further extension of time shall be given.

6. List the matter on 11th July 2025.

[MILIND N. JADHAV, J.]