

Nikita

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

BAIL APPLICATION NO.2317 OF 2025

Sanjay Ramdas Pawar

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Vivek Arote a/w Mr. Akshay Dingale for the
Applicant.

Mr. Vinod Chate, APP for the State.

Mr. Nyamane, API, Chakan Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATED : 17th JUNE, 2025

P.C.:

1. Heard Mr. Vivek Arote, learned Advocate for the Applicant.
Mr. Vinod Chate, learned APP for the State

2. By the present application under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, Applicant is seeking bail in
connection with C. R. No.1093 of 2022 registered with Chakan
Police Station, Pune, for the offences punishable under Sections
8(c), 20(b)(ii)(c) and 29 of the Narcotic Drugs and Psychotropic
Substances, Act, 1985 and under Section 307, 332, 353, 379 of the
Indian Penal Code.

3. Case of the prosecution is that on 04.07.2022, the car in

which the Applicant and the other co-accused were travelling was intercepted by the patrolling squad and upon search of the car, 210.912 kg Ganja was found in the said car. Offence was registered, against the Applicant (Accused No.3) and 6 other persons named as accused in the aforesaid crime.

4. Applicant was arrested on 05.07.2022. Bail application at Exhibit-48 in Special Case No.175 of 2022 filed by the Applicant was dismissed on 28.01.2025 was dismissed by the learned Special Judge Khed, Pune.

5. Mr. Vivek Arote, learned Advocate for the Applicant submits that the allegations against the Applicant are similar and identical to the allegations as made against Mr. Vikas Chavan (Accused No.2) in the said crime. He states that only difference is that Accused No.2 was found on the front seat of the car whereas the Applicant was found on the rear seat of the car. He states that the apart from the same, there is no other difference in respect of the allegations made against the Applicant and the said Accused No.2. He submits that this Court has granted bail to Accused No.2 vide order dated 28.04.2025, passed in Bail Application No.2498 of 2024. He places reliance on the said order (at page No.291 of the petition paper book). He therefore, prays for parity.

6. Mr. Vinod Chate, learned APP for the State, upon instruction from the Investigation Officer in the present crime and upon verification of the records, makes a statement that the allegations against the Applicant and Accused No.2 are similar and identical, only difference is the sitting arrangement in the car. He submits

that considering the nature of the allegations made against the Applicant in the said crime, the Applicant would be entitled to parity with the Accused No.2. He submits that identical conditions as imposed by this Court in its order dated 28.04.2025 be imposed on the Applicant.

7. Considering the nature and allegations and there being no dispute about the similarity of allegations/involvement of the Applicant herein and the Accused No.2 in the said crime, the principle of parity is made applicable to the case of the Applicant.

8. The Applicant is therefore, entitled to be released on bail on the following conditions:

a) The Applicant be released on bail in C.R. No. 1093 of 2022 registered at Chakan Police Station, Pune for the offences punishable under Sections 8(c), 20(b)(ii)(c) and 29 of the Narcotic Drugs and Psychotropic Substance Act and Sections 307, 332, 353 and 279 of the Indian Penal Code on furnishing P. R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

b) The Applicant shall attend before the Investigation Officer Chakan Police Station, Pune, once in a month, i.e., on fifth day of every month from 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

c) Applicant shall not interfere/ threaten any of the witnesses or tamper with evidence.

d) Applicant shall cooperate with the trial and appear before the concerned Court on each and every date, unless specifically exempted.

9. The Bail Application is disposed off.

(ASHWIN D. BHOBE. J.)