

Ajit Pathrikar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3366 of 2025**

Ashweenikumar Ashok Sharma ...Applicant
Versus
State of Maharashtra _____ ...Respondent

Mr. Kamlesh M. Satre, *for the Applicant.*

Ms. Megha S. Bajoria, *APP for the State-Respondent.*

**CORAM Dr. Neela Gokhale, J.
DATED: 10th NOVEMBER 2025**

PC:-

1. The Applicant seeks his release on bail in connection with FIR No. 162 of 2022 dated 9th August 2022 registered with ANC Bandra Unit, Mumbai for offences punishable under Sections 8(c), 20(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, “NDPS Act”).

2. The facts of the case, in brief, are that on information received by the concerned police authorities, a trap was laid and after complying with the statutory provisions of the NDPS Act, the two persons namely the Applicant herein and co-

accused Raju Lohar were apprehended from their car. A huge quantity of Ganja was recovered from their possession. 140 Kg of Ganja was recovered from the Applicant while 126 Kg of Ganja was recovered from the co-accused Raju Lohar. Accordingly, both the accused were arrested pursuant to the registration of a FIR.

3. At the very outset, Mr. Kamlesh Satre, learned Counsel for the Applicant, has placed on record an order dated 8th May 2025 passed by the Supreme Court in the SLP (Criminal) No. 4748 of 2025, filed by the co-accused Raju Lohar, challenging the final judgment and order dated 13th February 2025 passed by this Court in Criminal Bail Application No. 3247 of 2023. By way of the said order, the Supreme Court has enlarged the co-accused namely Raju Lohar on bail, considering the facts and circumstances of the case and the period of incarceration undergone by the co-accused i.e. since 9th August 2022.

4. Admittedly, the role attributed to the present Applicant is identical to that co-accused namely Raju Lohar. They were

both arrested on the same day and the facts and circumstances of the case, insofar as the present Applicant is concerned, are also similar to that of Raju Lohar. Therefore, keeping in view the doctrine of parity, 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.50,000/- with one or two local sureties in the like amount;
- ii) The Applicant shall attend the ANC Bandra Unit, Mumbai, on first Monday of every month between 10:00 a.m. and 12:00 noon, till the charges are framed, if not already framed by the Trial Court. 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 tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

v) 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;

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

vii) Any infraction of the aforesaid conditions shall entail cancellation of bail;

5. Application is allowed in the above terms and is accordingly disposed of.

6. 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)