

Ajit Pathrikar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4433 OF 2025**

Rikundkumar Dineshbai Patel ...Applicant
Versus
State Of Maharashtra ...Respondent

Mr. Karansingh Rajput *a/w Nikhil Ghate, for the Applicant.*
Ms. Anamika Malhotra, *APP for the State-Respondent.*

CORAM DR. NEELA GOKHALE, J.
DATED: 19th DECEMBER 2025

PC:-

1. The Applicant seeks his release on bail in connection with FIR No. 201 of 2025 dated 15th April 2025 registered with Nerul Police Station, ANC Navi Mumbai for the offences punishable under Sections 8(c), 20(b)(ii)(A)(B), 21(a), 23(a), 23(b), 27A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, “NDPS Act”) and Sections 338, 336(3), 340(2) and 255 of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS”).

2. The facts of the case, in brief, are that the main accused, namely Navin Chinchkar, used to supply contraband to various people in India by way of postal services. Some officials in the postal department and the customs department were on board with the said Chinchkar. It is alleged by the prosecution that this was a well-oiled drug racket, wherein said Chinchkar was supplying ganja, hydro ganja, etc. from Thailand and other places abroad to persons including the Applicant and co-accused in India, who then dealt with the same by selling it to users or dealers in India. The name of the Applicant was disclosed by co-accused, Kamal Chandwani. The present Applicant was working as an Angadia. Another person called Kartik Jain, who was working with Ankit Patel, also gave a statement to the police that while he was working with the said Ankit Patel, he had seen Accused No. 4, Sujit Bangera and Kamal Chandwani coming to the house of the co-accused, Ankit Patel, carrying cash which needed to be deposited with said Ankit Patel. It is the case of the prosecution that the present Applicant is also one such

Angadia who has allegedly facilitated cash transactions through hawala. Hence, the Applicant was arrested on 28th April 2025 pursuant to the FIR registered against the Accused in the present matter.

3. The Applicant made an application seeking bail before the Additional Sessions Judge, Belapur. However, by order dated 4th September 2025, the said application was rejected. Hence, the Applicant is before this Court for the relief as prayed.

4. Mr. Karansingh Rajput, learned Counsel for the Applicant, at the outset, brought to my attention an order dated 8th December 2025, enlarging the co-accused, Ankit Patel, on bail. He submits that the role attributed to the present Applicant is identical to the role attributed to the co-accused, Ankit Patel. He submits that there is no recovery made from the Applicant and there is nothing on record to indicate his complicity in the said offence. In fact, the only statement of the employee pertains to Ankit Patel and not

against the present Applicant. He also submits that there are no antecedents against the present Applicant pertaining to any offence under the NDPS Act. He is in custody since 28th April 2025 and no purpose will be served by his continued incarceration. He thus prays that the Applicant be enlarged on bail.

5. Ms. Anamika Malhotra, learned APP, submits that this is a drug cartel network and although nothing was recovered from the present Applicant, his role of facilitating cash transaction from hawala is sufficient to incriminate him in the said offence. She further submits that the Applicant is in custody only from April 2025 and the maximum punishment for the offence being 10 to 20 years. Hence, it cannot be said that the long incarceration justifiable enough to enlarge the Applicant on bail.

6. I have heard learned Counsel appearing for the respective parties and perused the record with their assistance.

7. Admittedly, the role attributed to the present Applicant is identical to the role attributed to the co-accused, Ankit Patel, who is enlarged on bail. The present Applicant is an Angadia operator and the role attributed to him is limited to the transfer of cash by hawala. Even from the statement of the co-accused, namely Kamal Chandwani, who was the main accused responsible for supply of drugs to many others, including the co-accused, there is nothing to establish the present Applicant's complicity in the said drug operation. In these circumstances, there is reasonable ground to believe that the Applicant has not committed the said offence as alleged and he is not likely to repeat the same while on bail.

8. In view of the aforesaid, 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. 1,00,000/- with one or two local sureties in the like amount;

- ii) The Applicant shall attend the Police Station concerned, on first Monday of every month between 10:00 a.m. and 12:00 p.m., till the charges are framed. 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 leave India, without the permission of the Trial Court;
- v) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- vi) 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;

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

viii) Any infraction of the aforesaid conditions shall entail cancellation of bail.

9. The Bail Application is allowed in the aforesaid terms and is accordingly disposed of.

10. 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)