IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 259 OF 2026

1. Anand Bhagwan Bhise
2. Aftab Rajjak Sayyed

VERSUS

State of Maharashtra And Anr.

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Mr. Nadeem Khan a/w Ms. Sadiya Khan, Advocate for Applicants.
Dr. A.A. Takalkar, APP for the Respondents – State.

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CORAM : SACHIN S. DESHMUKH, J.
DATE : 8th APRIL, 2026

P. C. :

1. The applicants seek regular bail in connection with FIR dated 11.06.2025 bearing Crime No. 428 of 2025 registered with Akluj Police Station, Dist. Solapur for the offences punishable under Sections 8(c), 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The learned counsel for the Applicants submits that the applicants are falsely implicated in the case. The applicants are arraigned as accused merely on the basis of the confessional statements. The applicants are in custody for more than nine

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months since their arrest. The trial is likely to take a considerable period for its conclusion. As such the counsel has prayed that the application be allowed.

3. The learned APP opposed the application, submitting that the recovery is carried out at the instance of the statements given by the applicants. The C.D.R. substantiates the link of the applicants with the other co-accused. The offences involves commercial quantity of the contraband. Given the seriousness of the offence, prayed for rejection of the application.

4. Upon considering the submissions of both the sides and perusing the material on record, including the charge-sheet prima facie indicate that the recovery of the alleged contraband is not effected at the instance of the present applicants. The applicants are primarily arraigned as accused on the basis of the CDR record as well as the purported confessional statements given by the co-accused.

5. Further perusal of the record indicates that apart from the aforesaid aspects, *prima facie* there is absence of direct substantive evidence against the applicants. The veracity and the reliability of the confessional statements as well as the C.D.R. record can be

adequately dealt with during the trial. Apart from above aspects, in absence of antecedents to the discredit of the applicants, I am inclined to exercise discretion in favour of the applicants.

6. Nevertheless, the investigation is completed for all intents and purposes. Having regard to the number of witnesses, which the prosecution seeks to examine, the trial is unlikely to conclude within a reasonable period. Thus, further detention of the applicants may amount to pre-trial detention which is neither warranted nor justified.

7. Hence, the following order :-

ORDER

(I) Application is **allowed**.

(II) Applicants – Anand Bhagwan Bhise and Aftab Rajjak Sayyed be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) each with one or two local solvent sureties in the like amount, in connection with Crime No. 428 of 2025 registered with Akluj Police Station, Dist. Solapur for the offences punishable under Sections 8(c), 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, on the following conditions :-

(a) The Applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts either to the Court or to any Police Officer.

(b) The Applicants shall not tamper with the prosecution evidence in any manner and shall cooperate the learned Trial Judge in expeditious disposal of the trial against him.

(c) The Applicants shall not indulge in similar type of offences in future.

(d) In case of breach of any of the conditions by the Applicants, it is open for the Prosecution to move this Court seeking cancellation of bail.

(III) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)