

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 4341 OF 2024

Anant Sarjerao Jaybhawe

... Applicant

VERSUS

State Of Maharashtra

... Respondent

Mr. Aniket Vagal a/w. Ms. Savuy Kolhekar, Advocate for Applicant.

Smt. Ranjana D. Humane, APP for the Respondent-State.

IO – API – Mr. Vishal Patil (ANC Nashik City), Indiranagar Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 30th APRIL, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 12 of 2024 registered with Indiranagar Police Station, Nashik, for the offences punishable under Sections 8(c), 22(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ("NDPS Act").

2. It is prosecution's case that on 17.01.2024, on secret information, police apprehended the co-accused and in their personal search, found 20 gm Mephedrone. It is alleged that during interrogation, accused Nos. 1 and 2 informed the police that they received the said Mephedrone from the applicant. Then police apprehended the applicant. At the instance of the applicant, police recovered 54 gm Mephedrone from

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his house.

3. It is contention of learned counsel for the applicant that the applicant has been falsely implicated in this case. The house search of the applicant was taken after two days after his arrest. A case under sand excavation was filed against the applicant and in that case police demanded money from the applicant for the sand business to continue. But, the applicant refused to pay the amount and on that ground, the applicant has been falsely implicated in this case. Learned counsel further submitted that the applicant has a recording of the conversation with the police constable asking money from the applicant and he had submitted the same to the superior police authority but it was not considered. This Court (Coram : N.R.Borkar, J.) after hearing the applicant has released the applicant on interim bail. Investigation is completed. Charge-sheet has been filed. The applicant has no antecedents under the NDPS Act and requested to allow the application.

4. It is contention of learned APP that the applicant has antecedents under the Indian Penal Code. Commercial quantity of Mephedrone was found in the house of the applicant. During interrogation, co-accused revealed the name of the applicant as provider of Mephedrone. The seizure panchanama was done in the presence of panchas. The defence taken by the applicant is false. No phone calls were

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made to the applicant by any police officer. If he is released on bail, he may abscond and requested to reject the application.

5. I have heard both the learned counsel. Perused chargesheet and documents produced on record. It appears from the documents produced on record that the applicant was contacted by the police officer who is complainant in the present case and he was asking about the amount. The transcript of the conversation produced on record confirms the said fact. No reason is given as to why the complainant in the present case called the applicant before registering the present FIR. Prima facie, it shows substance in the contention of the applicant. The applicant is already on bail, investigation is completed and charge-sheet has been filed. To prove the case against the applicant, trial is required and I pass following order.

ORDER

- (i) The Bail already granted to the applicant is confirmed.

(SHIVKUMAR DIGE, J.)