

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 5241 OF 2024

Subhash Raghupati Patil

... Applicant

***Versus***

The State of Maharashtra

... Respondent

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Mr. R.S.Bidkar a/w. Mr. Rahul Varde, Advocates for the Applicant.

Mr. M. G. Patil, APP for the Respondent-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 28<sup>th</sup> JANUARY, 2026.

**P.C. :**

1. By this application, the Applicant is seeking regular bail in C.R.No. 371 of 2021 registered with New Panvel Police Station, Raigad, for the offences punishable under Section 8(c), 22(c) and 29 of The Narcotic Drugs and Psychotropic Substances Act, 1985 ("NDPS Act").

2. It is prosecution's case that on 30.12.2021, on the basis of secret information, police arrested co-accused Kalim Khamkar, who was traveling in car. In search of the said car, police found 1 Kg. Methaqualone powder. It is alleged that on the information given by co-accused Kalim, police apprehended the applicant and found 500 gm Methaqualone powder from his possession and 500 gm Methaqualone powder from his godown.

3. It is contention of learned counsel for the applicant that co-

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accused Kalim and other co-accused, having similar allegations, have been released by this Court (Coram :M.S.Karnik, J.) 02.05.2024. Hence, the applicant is entitled for bail on principle of parity and requested to allow the application.

4. It is contention of learned APP that commercial quantity of Methaqualone powder was found in possession of the applicant. If the applicant released on bail, he may abscond or threaten prosecution witnesses and requested to reject the application.

5. I have heard both the learned counsel. Perused chargesheet and documents produced on record. The applicant is behind bars for more than four years. There is no progress in the trial. The co-accused, having similar allegations, have been released on bail. Considering this fact, the applicant is entitled for bail on the principle of parity and I pass following order:

#### **ORDER**

- i. The applicant be enlarged on bail in C.R.No. 371 of 2021 registered with New Panvel Police Station, Raigad, on executing P.R.Bond of Rs. 30,000/- on furnishing one or two sureties in the like amount.
- ii. The applicant shall attend the concerned police station as and when required.

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- iii. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
6. The application is allowed in the aforesaid terms and is accordingly disposed of. All pending applications, if any, disposed of.
7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.
8. All concerned to act on the authenticated copy of this order.

**(SHIVKUMAR DIGE, J.)**