

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2890 OF 2025

Akshay Ganesh Naikwade

... Applicant

VERSUS

State Of Maharashtra

... Respondent

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Mr. Anil G. Lalla a/w. Mr. Yash S. Pulekar, Ms. Yashvi B. Jain and Mr. Dewang Rawal, Advocate for Applicant.

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

Mr. Sunil Bidkar, PSI – Nashik Road Police Station, present.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 20<sup>th</sup> APRIL, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in Crime No. 425 of 2023 registered with Nashik Road Police Station, District Nashik, for the offences punishable under Sections 8(c) and 22(c), 25, 27A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ("NDPS Act").

2. It is prosecution's case that police apprehended the applicant and at his instance they recovered 67 gm Mephedrone.

3. It is contention of learned counsel for the applicant that recovery of Mephedrone is done after two days of arrest of the applicant. The Mephedrone was weighed along with plastic pouch. The applicant is

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behind bars for two years and four months. The co-accused having similar allegations have been released on bail. The applicant has no antecedents under the NDPS Act and requested to allow the application.

4. It is contention of learned APP that the Mephedrone was recovered at the instance of the applicant which was kept in the house of his maternal aunt. The applicant has antecedents under the Indian Penal Code. If the applicant is released on bail, he may abscond or threaten prosecution witnesses. Hence, requested to reject the application.

5. I have heard both the learned counsel. Perused chargesheet and documents produced on record. The Mephedrone was weighed with plastic pouch. It was 67 gm. The commercial quantity of Mephedrone is 50 gm. Contraband was recovered from broken motorcycle dickey after two days of the applicant's arrest. The co-accused having similar allegations have been released on bail. Considering these facts, I pass following order.

#### **ORDER**

- i. The applicant be enlarged on bail in Crime No. 425 of 2023 registered with Nashik Road Police Station, District Nashik, 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

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as and when required.

- 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.)**