

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2978 of 2025

Pravin N. Channigowda

...Applicant

Versus

State of Maharashtra

...Respondent

*Mr. Amin Solkar a/w Mr. Mohammed Juned, Adv. Misbaah Solkar,
Advocate for the Applicant.*

Adv. Prasanna Malshe, APP for the Respondent-State.

*Mr. Dilip Jadhav, PSI, Mahatma Phule Chowk Police Station,
Present.*

CORAM R. M. JOSHI, J.
DATED: 21th April, 2026

PC:-

1. The Applicant seeks bail in connection with Crime No. 145 of 2021 registered with Mahatma Phule Chowk Police Station, Kalyan for the offence punishable under Sections 8(c), 20(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985. (“NDPS Act”).

2. In short, it is the case of prosecution that accused no. 1 was apprehended with commercial quantity of Ganja. The present applicant is taken in custody with allegation that he instructed the co-accused to park the vehicle at a particular place at the spot of

the incident. On conclusion of investigation, a charge sheet has been filed.

3. Learned counsel for the applicant submits that applicant has no criminal history and there is an allegation against the co-accused from whom the contraband of commercial quantity was seized, he is already enlarged on bail by this Court by passing order dated 28th March 2024 in Bail Application No. 2734 of 2022. He submits that, in the absence of any evidence against him, the applicant is entitled for bail.

4. Learned APP opposed the application by citing seriousness of the Trial Court. In order to support filing of charge sheet against the applicant, he refers to the statement of co-accused.

5. Needless to say that the statement of the co-accused may have been relevant during the course of investigation, it is not admissible during trial. Thus, when except for the said alleged statement of co-accused, there is no other evidence to connect applicant with this crime and particularly when the co-accused

from whom there is a recovery of the contraband of commercial quantity is enlarged on bail, this Court finds no reason to deny parity. Moreover, the applicant has no criminal history and he is not likely to flee from justice.

6. Hence, the following order :-

ORDER:

- a) The Application stands allowed.
- b) The Applicant be released on bail in connection with Crime No. 145 of 2021, registered with Mahatma Phule Police Station, Kalyan on furnishing PR bond of Rs. 15,000/- with one surety in the like amount to the satisfaction of the Trial Court.
- c) The Applicant not to contact any witness directly or indirectly and not to interfere into the evidence of the prosecution in any manner whatsoever.
- d) The Applicant to attend the Trial Court on each dates of hearing unless exempted by the Trial Court.

7. It is clarified that above observations are *prima-facie* in nature and would not bind Trial Court / parties during trial.

(R. M. JOSHI, J)