

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3451 OF 2025**

Arbaj Rafik Bagewadi

... Applicant

Versus

The State of Maharashtra

... Respondent

Mr. Hrituraj Singh a/w. Mr. Mithilesh Mishra i/b. Mr. Gopal Bhosale,
Advocate for the Applicant.

Mr. P.P. Jadhav, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 1st APRIL, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 1039 of 2024 registered with Kondhwa Police Station, Pune, for the offences punishable under Sections 8(c) and 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 ("NDPS Act"), Sections 3 and 25 of Arms Act, 195 and Sections 37(1) and 135 of the Maharashtra Police Act, 1951.

2. It is prosecution's case that on 06.09.2024, on secret information, police raided the flat of accused No.1 and in search of said flat, police found 202 gm Mephedrone. It is alleged that out of said Mephedrone, the applicant had supplied 30 gm Mephedrone to the

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accused No.1.

3. It is contention of learned counsel for the applicant that the applicant is behind bars for more than one year and six months. The co-accused, against whom similar allegations have been levelled, has been released on bail. The Mephedrone supplied by the applicant is of non commercial quantity. There is no progress in the trial and requested to allow the application.

4. It is contention of learned APP that the applicant has antecedents under NDPS Act. The applicant had supplied Mephedrone to the co-accused from whose possession commercial quantity Mephedrone is seized. It shows involvement of the applicant in the crime. 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 co-accused, against whom similar allegations are levelled, has been released on bail. The allegations against the applicant are of supplying non-commercial quantity Mephedrone to the accused No.1. The applicant is behind bars for more than one year and six months. It may take time to conclude the trial and I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 1039 of

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2024 registered with Kondhwa Police Station, Pune, 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.
- 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.)