

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1646 OF 2026

Prakash N Vyankateshwarao

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Chinmay Apte along with Mr. Susmit Paradkar, Advocate for Applicant.

Mr. B. B. Kulkarni, APP for Respondent-State.

Mr. Dasharath Yallappa Nandiwale, Yavat Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th MAY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 1095 of 2021 registered with Yawat Police Station, District Pune, for the offences punishable under Sections 8(c) and 22(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. It is prosecution's case that, on secret information, the police intercepted a truck, and upon searching it, found approximately 86.91 kg of ganja.

3. It is contention of learned counsel for the applicant that the applicant is behind bars for more than four years and four months. It will take time to conclude the trial. The co-accused-Umesh Thorat, against whom similar allegations are made, has been released on bail by this Court

Shubhada S Kadam

(Coram : N.R.Borkar, J.). Hence, the applicant is entitled to bail on the principle of parity and requested to allow the application.

4. It is contention of learned APP that parity is not applicable to the applicant, as he was the driver of the truck. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both sides, perused charge-sheet and documents produced on record. The applicant is behind bars for more than four years and four months. It will take time to conclude the trial The co-accused-Umesh Thorat, against whom similar allegations are made, has been released on bail. Considering these facts, the applicant is entitled to bail on the principle of parity. Hence, I pass the following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 1095 of 2021 registered with Yawat Police Station, District Pune, on executing P.R.Bond in the sum of Rs.30,000/- with one or two local 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.

The application is allowed in the aforesaid terms and is accordingly disposed of.

Shubhada S Kadam

6. 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.

7. All concerned to act on the authenticated copy of this order.

8. Interim Application No. 4556 of 2025 will not survive for consideration and is accordingly disposed of.

(SHIVKUMAR DIGE, J.)