



Amrut

IN THE HIGH COURT OF BOMBAY AT GOA**CRIMINAL APPLICATION (BAIL) NO.457 OF 2026 (Filing No.)**

AKASH MARDOLKAR

PRESENTLY IN JUDICIAL CUSTODY

.... Applicant

Versus

UNION OF INDIA THR.

...Respondents

OFFICER IN CHARGE AND ANR.

Mr K. Poulekar, Mr Sahil Lavande, Ms Sanskriti Naroji, Ms Snejana Pereira and Ms Shikha Joshi, Advocates for the Applicant.
Mr Pravin Faldessai, Deputy Solicitor General of India for the Respondents.

CORAM: DR. NEELA GOKHALE, J.**DATED : 8th MAY 2026****P.C.:**

1. The Applicant seeks his release on bail in connection with NCB Crime No.2/2023 registered with the Narcotics Control Bureau, Goa ('NCB') under Section 8(c), 20(b)(ii)(a), 22(C), 27 and 29 of the Narcotics Drugs and Psychotropic Substance Act, 1985 ('NDPS Act').
2. There are in all five accused. The Applicant is Accused No.1. Accused Nos.2 and 3 are already released on bail and Accused No.4 has been discharged in the present case.



3. The case of the prosecution, in brief, is that on 27th April 2023 at 4.00 p.m., on specific information received by the Intelligence Officer that the Applicant is involved in drug trafficking and has kept various kinds of drugs at his residence, the raiding party was assembled and after complying with the provisions under the NDPS Act, the house of the Applicant was searched. From the bedroom of his house, 0.2 grams of LSD was recovered. Thus, commercial quantity of contraband was recovered from the house of the Applicant, the complaint was made and the FIR was accordingly registered. The Applicant had applied for bail before the Additional Sessions Judge at Mapusa. However, his bail was rejected by order dated 29th April 2026. Hence, he is before this Court for release on bail.

4. At the very outset, Mr Faldessai, learned Deputy Solicitor General of India representing the Union of India-NCB has tendered the reply of the NCB. The same is taken on record.

5. At the very outset, Mr K. Poulekar, learned counsel appearing for the Applicant, has brought to my notice the order dated 1st April 2026, granting bail to the co-accused, namely, Andrey Denim. Accordingly, the bail was granted to the said accused only on the basis that he was arrested on 29th April 2023 and despite filing of



the charge-sheet, the charges have not been framed. Hence, on the ground of long incarceration, the co-accused was granted bail.

6. Similarly, the present Applicant was arrested on 28th April 2023 and for the past three years, even the charges are not framed. It is obvious that the trial is not likely to conclude in the near foreseeable future. Admittedly, there are no antecedents in respect of the present Applicant. Thus, on the basis of long incarceration, without charge being framed till date, and also on the principle of parity, I am inclined to enlarge the Applicant on bail and it is ordered as under:

- a. The Applicant Akash Mardolkar be enlarged on bail, on executing PR Bond in the sum of Rs. 50,000/- with one or two local sureties in the like amount to the satisfaction of the Trial Court.
- b. The Applicant shall attend the Trial Court concerned on every date unless exempted by the orders of the Trial Court concerned;
- c. The Applicant shall also attend the Police Station concerned on every alternate Monday of each month between 9:00 a.m. and 11:00 a.m. and as and when



required to do so by the Investigating Officer.

- d. If the Applicant holds a passport, he shall deposit the same with the Police Station concerned.
- e. The Applicant shall not leave the State of Goa without the permission of the Trial Court concerned.
- f. The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
- g. The Applicant shall inform his latest place of residence and contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the Police Station concerned.
- h. The Applicant to co-operate with the conduct of the trial.
- i. Any infraction of the aforesaid conditions shall entail cancellation of bail.



7. Application is allowed on the above terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie* and are confined to this Application, and the learned Trial Judge is to decide the case on its own merits, uninfluenced by the observations made herein.

DR. NEELA GOKHALE, J