

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.1558 OF 2017
IN
CRIMINAL APPEAL NO.1327 OF 2013
WITH
CRIMINAL APPEAL NO.1327 OF 2013**

Mayuresh Nandkumar Purohit ...Applicant
Versus
Kaushik Manna, Intelligence Officer
& Anr. ...Respondents

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Mr. Tarak Sayed i/b. Mr. S.S. Bhandary for the Applicant.
Mr. D.A. Nalawade with Mr. Abhishek Bhadur for the Union of India.
Mr. P.H. Gaikwad, APP for the Respondent No.2-State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 27th NOVEMBER, 2017.

P.C.:-

The Applicant has been convicted for the offence punishable under Section 8(c) r/w. Section 20(b) (ii) (C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and has been sentenced to undergo rigorous imprisonment for the period of 10 years and to pay fine of Rs.1,00,000/- i/d. to undergo imprisonment for a period of eight months. By this application, the Applicant has sought suspension of execution of sentence and release on bail.

2. Heard Mr. Tarak Sayed learned counsel for the Applicant and Mr. D.A. Nalawade, learned Spl.PP. for the Respondent No.1. The previous bail application filed by the Applicant was dismissed on merits by order dated 26th November, 2014. Subsequent bail application was withdrawn since there was already an order of expeditious hearing of the Appeal. There is no change in circumstances since the date of rejection of application by order dated 26th November, 2014. The only grievance is that the Petitioner is in custody since 23rd November, 2011. Considering the fact that the Petitioner has already under gone sentence of more than 5 years, the Appeal is fixed on final hearing board in the week commencing from 18.12.2017.

4. The Application stands disposed of.

(ANUJA PRABHUDESSAI, J.)