

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPEAL ST NO. 6124 OF 2023****WITH****INTERIM APPLICATION NO. 1646 OF 2023****IN****CRIMINAL APPEAL ST NO. 6124 OF 2023****WITH****INTERIM APPLICATION NO. 1645 OF 2023****IN****CRIMINAL APPEAL ST NO. 6124 OF 2023**

Mathew Okako Okofor

.. Appellant

Versus

The State of Maharashtra

.. Respondent

...

Mr. Advait Tamhankar for the appellant

Ms. P.N. Dabholkar, APP for the State.

CORAM: BHARATI DANGRE, J.**DATED : 28th APRIL 2023****P.C:-****IA No. 1645 of 2023**

1 By the present application, the delay of 42 days in filing the appeal against the conviction of the appellant is sought to be condoned.

2 Heard learned counsel for the applicant, the learned APP for the State and I have perused the application. For the

simple reason, the application proceed to state that since the applicant was already incarcerated with the sentence when the impugned judgment was re-heard convicting him under the provisions of NDPS Act, he could not immediately access the legal remedies. This has resulted in filing the appeal belatedly after period of 42 days, after period of limitation has expired.

Considering the application and request, I deem it to be bonafide and hence the delay is condoned. The application is made absolute in terms of prayer clause (a). IA No.1645 of 2023 sands disposed off.

Criminal Appeal (St) No. 5124 of 2023

- 3 Heard. Admit.
- 4 Call for record and proceedings.
- 5 Learned APP waive notice for State.

IA No.1646 of 2023

- 6 At the request of learned APP re-notify to 21/6/2023.

(SMT. BHARATI DANGRE, J.)