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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2650 OF 2022**

Jayesh Prabhudas Sanghvi

...Applicant

Versus

Intelligence Officer and anr.

...Respondents

.....

Mr. Taraq Sayed a/w Ms Ashwini A. i/b Mr. Advait Tamhankar for the Applicant.

Mr Ruju Thakkar a/w Mr. Advait Sethna for Respondent No. 1 (DRI).
Ms Veera Shinde, APP for the State.

.....

CORAM : N.R. BORKAR, J.

DATED : 11 JANUARY 2023

P.C. :-

This is an application under Section 439 of the Code of Criminal Procedure for bail.

2. The applicant is accused in Special Case (NDPS) No. 53 of 2022, on the file of District Judge-I and Additional Sessions Judge Panel, for the offences punishable under Section 21(c), 23(c) r/w 8(c), 25, 28 and 29 of the Narcotic Drugs and Psychotropic Substances Act and is at present lodged in Taloja, Central Prison, Navi Mumbai.

3. According to the prosecution, the container No. PARU2252260 was imported. During the examination of said container by the officers of DRI 24.25 kg of Heroin was recovered from the said container.

4. This Court by order dated 30 November 2022 directed the Jail Superintendent Talaja, Central Prison, Navi Mumbai to submit the report in relation to the health condition of the present applicant.

5. Pursuant to above said order, today the learned APP has tendered the report of Chief Medical Officer, Talaja Central Prison, Navi Mumbai.

6. The report, *inter alia*, reads thus:

“The patient is currently in a severe debilitated state and his precarious condition is deteriorating day by day, despite medical treatment. Management of such severe health ailments is better treated at a Super Speciality Hospital.”

7. The learned standing counsel for respondent No. 1 submits that the applicant is involved in a serious crime and therefore, may not be released on interim bail.

8. In view of the report of Chief Medical Officer, Talaja Central Prison, Navi Mumbai, I am inclined to release the applicant on bail for a period of four months.

9. The applicant shall be released on bail for the period of four months on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

10. Application is disposed of.

(N.R. BORKAR, J.)