

Shailaja

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

**CRIMINAL BAIL APPLICATION NO.824 OF 2022**

|                                                  |            |                             |
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| Diatta Jerome<br>Vs.<br>The State of Maharashtra | ]<br><br>] | Applicant<br><br>Respondent |
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Mr. Mithilesh Mishra a/w Mr. Ashley Cusher, for Applicant.

Mr. A.A. Palkar, A.P.P, for Respondent – State.

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**CORAM : PRITHVIRAJ K. CHAVAN, J.**

**DATE : 20<sup>th</sup> FEBRUARY, 2024.**

**P.C.**

1. Learned A.P.P invites my attention to the report of the Forensic Science Laboratory dated 8<sup>th</sup> March, 2021 confirming the fact that seized contraband contained narcotic drugs like Alprazolam, Lorazepam, Cocaine, Morphine, Nitrazepan, Diazepam, Mephedrone, MDMA, Ketamine and Heroin. Admittedly, it is a commercial quantity. It is a fact that co-accused is at large who could not be nabbed by the Investigating Agency. It is submitted that matter is for framing charge.

2. Looking to the period of incarceration the applicant has undergone, the trial Court shall frame charge within two weeks and thereafter shall commence the trial. The prosecution shall procure the presence of it's witnesses without seeking any adjournments. The trial Court shall make an endeavour to conclude the trial within one year from the date of framing of the charge. In case, the trial Court is unable to conclude the trial within the aforesaid period, liberty to the applicant to revive his prayer for bail.

3. Application stands disposed of in the aforesaid terms.

**[PRITHVIRAJ K. CHAVAN, J.]**