

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2719 OF 2024**

Abuzar Shakeel Khan	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr. Aniket Ujjwal Nikam, i/b. Amit Icham for applicant.

Mr. Tanveer G. Khan, APP for respondent-State.

Mr. Umesh Karke, API, Trombay Police Station, Mumbai.

**CORAM : MANISH PITALE, J.
DATE : 09th SEPTEMBER, 2024**

P.C. :

1. During the course of arguments, the learned counsel for the applicant, *inter alia*, submitted that the contraband alleged to have been seized from the applicant is recorded as brown crystalline powder, while the contraband seized from the co-accused person is recorded as white crystalline powder.

2. It is submitted that the contraband mephedrone (MD) is found to be white in colour and the fact that brown crystalline powder was recovered from the applicant, makes out a *prima facie* case in his favour, while pressing for relief in the present application.

3. The learned APP has tendered a copy of the chemical examination report issued by the concerned laboratory. It specifically records exhibit 1 as white-coloured powder and exhibit 2 as brown-coloured powder. Thereafter, it is recorded that both exhibits were found to be containing contraband MD.

4. If the contention raised on behalf of the applicant, as regards the colour of the substance recovered from the applicant, is to be accepted, scientific material has to be placed before this Court in that regard.
5. The learned counsel for the applicant seeks short adjournment to bring appropriate material on record.
6. List for further consideration on 24.09.2024, to be included in the supplementary list.

(MANISH PITALE, J)

Priya Kambli