

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

CRIMINAL BAIL APPLICATION NO. 4035 OF 2024

Sufiyan Abdul Mannan Khan

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Vicky Sharma i/b Ms. Jaymala Vaish, Advocate for Applicant.

Mr. S. S. Chaudhary, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 11th NOVEMBER, 2024

PC:-

- 1) Heard.
- 2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 17 of 2024, registered with Dighi Sagari Police Station, Raigad for the offences punishable under Sections 8(c), 20(b)(ii) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.
- 3) The learned Counsel for the applicant argues that the co-accused has been released on bail and therefore on parity he may be released on bail. However, after going through the charge-sheet and relevant material collected by the Investigating Officer, it is evident that the alleged contraband was recovered and seized from the applicant and

since it was not recovered from the co-accused, he has been granted bail.

4) The quantity of contraband recovered from the applicant is a commercial quantity and it was recovered after following due process. Thus, considering the seriousness of offence and since there is sufficient evidence to show the complicity of the applicant in the alleged offence, I am not inclined to grant bail.

5) Accordingly, the application is rejected and disposed of.

6) At this stage, the learned Counsel for the applicant seeks liberty to move afresh, if there is no progress in trial.

7) Considering the request of the applicant, liberty is granted to move after one year, if there is no progress in trial.

[ANIL S. KILOR, J.]