

Amberkar

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

BAIL APPLICATION NO. 893 OF 2024

Moiez Shabbitt Lokhandwala .. Applicant
Versus
Narcotics Control Bureau .. Respondent

**WITH
BAIL APPLICATION NO. 3688 OF 2024**

Mohammed Salman Mohammed Shafi .. Applicant
Versus
Narcotics Control Bureau .. Respondent

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- Mr. Rajendra Bidkar for Applicant in BA 893/2024
 - Ms. Lochan P. Chandka for Applicant in BA 3688/2024
 - Mr. Hitendra J. Dedhia, APP for State in both the Applications
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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 13, 2025

P. C.:

1. Mentioned at the time of rising. Both Applications are heard as Applicants are co-accused.

BA NO. 893/2024 :

2. Heard Mr. Bidkar, learned Advocate for Applicant and Mr. Dedhia, learned APP for State.

3. Applicant before me is arraigned as accused No. 3 and indicted under the provisions of NDPS Act wherein according to Applicant he

has been arrested solely on the basis of the statement made by co-accused from whom recovery of contraband has been effected.

4. Mr. Bidkar would submit that apart from the statement of the co-accused, there is no material to indict the Applicant in the present crime. However in his usual fairness he would inform the Court that Applicant was already arrested and his custody was taken while he was under arrest in another crime. When asked as to what is the charge / statement of the co-accused against Applicant, he would inform the Court that present Applicant is indicted on the ground of he being the supplier of the alleged contraband. He would submit that Applicant is a fabricator and his shop is in Mumbra from where he is carrying out his trade.

5. Learned APP shall take cognizance of the submissions made by Mr. Bidkar which are delineated herein above and apprise the Court if there is any other material against the Applicant apart from the above submissions recorded.

BA NO. 3688/2024 :

6. Heard Ms. Chandka, learned Advocate for Applicant and Mr. Dedhia, learned APP for State.

7. Ms. Chandka would inform the Court that there is no conscious possession and recovery made from the Applicant - accused No. 2 in

the crime where there is recovery from accused No. 1. She would submit that both accused Nos. 1 and 2 were apprehended together.

8. Learned APP shall take cognizance of the above submissions and apprise the Court and appraise the Court on the next adjourned date. If any reply is to be filed, the same shall be filed on or before the next date.

9. Stand over to **7th March, 2025 at 2:30 p.m.**

Amberkar

[MILIND N. JADHAV, J.]

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