

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1309 OF 2024

Ahmed Ali Hasrat Ali Shah

.. Applicant

Versus

The State of Maharashtra

.. Respondents

.....

- Mr. Vishal Rankhambe a/w. Ms. Aparna Rankhambe and Mr. Chaitanya Bagul, Advocates for Applicant.
- Ms. Mahalakshmi Ganapathy, APP for Respondent - the State of Maharashtra.

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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 07, 2025

P.C.:

- 1.** Mentioned out of turn at the time of rising of the Court.
- 2.** Heard Mr. Rankhambe, learned Advocate for Applicant and Ms. Ganapathy, learned APP for Respondent - the State of Maharashtra.
- 3.** This is an Application under Section 439 of Code of Criminal Procedure, 1973 (for short '**Cr.P.C.**') seeking Bail in connection with C.R. No.49 of 2023 registered with Shivaji Nagar Police Station for offences punishable under Sections 8 (c) and 22 (c) of the Narcotics and Psychotropic Substances Act, 1985 (for short '**NDPS Act**').
- 4.** Mr. Rankhambe would persuade me to consider the case of Applicant. He would submit that there is no recovery of contraband rather no conscious possession from Applicant has been recovered.

The name of Applicant has been disclosed by Accused No.1 who was apprehended with intermediate quantity of alleged contraband namely 29 grams of Mephedrone.

5. Mr. Rankhambe would submit that Accused No.1 has been enlarged on bail. In so far Applicant is concerned, he is arraigned as Accused No.2 and is incarcerated for 2 years and 26 days.

6. Ms. Ganapathy, learned APP appears in the matter. She is directed by this Court to take appropriate instructions from Investigating Officer and apprise the Court on the next adjourned date. Considering the aforesaid incarceration of Applicant and no conscious possession recovered from Applicant, this Court deems it fit to take up this matter for hearing.

7. List the matter on **11th February, 2025**. To be placed on 'Supplementary Board'.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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