

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1381 OF 2024

Tochukawu Tobias Umeh

.. Applicant

Versus

State of Maharashtra

.. Respondent

.....

- Ms. Ashwini Achari, Advocate i/by Taraq Sayed for Applicant.
- Ms. Rajeshree V. Newton, APP for Respondent.

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 06, 2025

P.C.:

1. Heard Ms. Achari, learned Advocate for Applicant and Ms. Newton, learned APP for Respondent.

2. Ms. Newton, learned APP would persuade the Court to peruse order dated 16.12.2024. She would submit that report dated 20.12.2024 be taken on record. I have perused the said report and taken the said report on record. On perusal of the said report, it is seen that Applicant though was imposed with the condition that he would surrender his passport to D. N. Nagar Police Station, it is informed across the bar by Ms. Achari that he had infact surrendered the passport but he has no proof of the same.

3. However report shown by prosecution shows that Applicant has not surrendered the passport which was one of the condition imposed upon him for grant of bail in NDPS Special Case No.109 of

2019. The details of the Muddemal Register, *inter alia*, pertaining to Applicant is appended to report which notes the details of the articles surrendered by Applicant and it does not record the passport of Applicant.

4. Applicant is directed to take steps as available to Applicant in law and explain the aforesaid position to this Court for consideration of his Bail Application. This is in view of the directions contained in paragraph No.5 of the order dated 16.12.2024. An attempt is made by Advocate for Applicant to argue the case on merits. Bail Application was also mentioned before the Court on 13.01.2025 on which date, directions were given for placing the matter on board. The matter has been heard today and unless the aforesaid directions are complied with, I am not inclined to hear Application on merits as argued by Advocate for Applicant.

5. *Prima facie*, I feel it is an ingenious attempt on part of Advocate for Applicant to get such matters heard by the Court without complying with directions contained in the previous order. This Court is taking note of this fact very seriously which shall be noted by Advocate for Applicant.

6. Stand over to **03rd April, 2025.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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