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

CRIMINAL BAIL APPLICATION NO. 1946 OF 2024

Paul Chikwu	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

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- Ms. Lakshmi Vaidyanathan, Advocate i/by Mr. Ayaz Khan and Ms. Zehra Charania for Applicant.
 - Ms. Mahalakshmi Ganapathy, APP for Respondent – State.
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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 27, 2025.

P.C.:

1. Heard Ms. Vaidyanathan, learned Advocate for Applicant and Ms. Ganapathy, learned APP for Respondent – State.

2. Ms. Vaidyanathan, learned Advocate for Applicant would submit Applicant is a foreign national from Nigerian having been incarcerated in an offence under the provisions of the Narcotics Drugs and Psychotropic Substances Act, 1985 (for short '**NDPS Act**'). She would submit that Applicant was arrested on specific information received by the prosecution alongwith two contraband namely 32 grams of cocaine and 0.22 grams of LSD.

3. One of the dichotomy in the seizure procedure that learned Advocate for Applicant would point out is that immediately pursuant

to the seizure the prosecution officer has sent the contraband of LSD for forensic without following the sampling procedure contemplated by the Narcotics Drugs & Psychotropic Substances (Seizure, Storage, Sampling and Disposal) Rules, 2022 or seeking certification of the alleged contraband under the provisions of Section 52A of the NDPS Act. She would submit that in the certification which is provided the mention is only with regard to the alleged contraband cocaine whereas reference to the alleged contraband LSD is conspicuously missing.

4. Ms. Ganapathy, learned APP for the State shall consider the aforesaid submissions made by Ms. Vaidyanathan and accordingly apprise the Court on the veracity of the same on the next adjourned date when present Application will take up for hearing.

5. In that view of the matter, list the Bail Application on Board on **29th April, 2025.**

[MILIND N. JADHAV, J.]

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