

Ajay

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

CRIMINAL BAIL APPLICATION NO. 2239 OF 2024

Nadeem Salim Sortiya @ Nadeem Batla	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

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- Mr. Kamlesh M. Satre, Advocate for Applicant.
 - Mr. Balraj B. Kulkarni, APP for Respondent – State.
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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 03, 2025.

P.C.:

1. Heard Mr. Satre, learned Advocate for Applicant and Mr. Kulkarni, learned APP for Respondent – State.

2. In the present case, Applicant is incarcerated and arrested in an offence under the provisions of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short '**NDPS Act**') and incarcerated for the past more than 3 years. Though the learned Advocate Mr. Satre would submit that Applicant was arrested and apprehended alongwith commercial quantity of the alleged contraband namely 90 grams of Mephedrone, there is a complete non-compliance of the statutory provisions under Section 50 of the NDPS Act in as much as the appraisal letter given to Applicant does not bear his endorsement at all.

3. In that view of the matter, he would submit that considering the said breach as also long incarceration pending trial, Applicant be released on bail.

4. Mr. Kulkarni, learned APP is directed to take appropriate instructions from the concerned Investigating Officer on the precise role of the Applicant in the crime and accordingly apprise the Court on the next adjourned date on the veracity of the aforementioned submissions made by Mr. Satre.

5. Considering the long incarceration of the Applicant, present Application shall be heard and decided on the next adjourned date which shall be noted by the prosecution.

6. List the Bail Application on Board on **23rd April, 2025**. To be placed on the '**Supplementary Board**'.

[MILIND N. JADHAV, J.]

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