

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3441 OF 2024

Samsher Gulmohammad Khan

.. Applicant

Versus

State of Maharashtra

.. Respondent

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- Mr. Rajendra S. Bidkar, Advocate for Applicant.
 - Mr. Balraj B. Kulkarni, APP for Respondent – State of Maharashtra.
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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 24, 2025

P.C.:

1. Heard Mr. Bidkar, learned Advocate for Applicant and Mr. Kulkarni, learned APP for Respondent – State of Maharashtra.

2. 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.238 of 2023 registered with Vashind Police Station for offences punishable under Section 8(c) read with Sections 20, 29 of Narcotics and Psychotropic Substances Act, 1985 (for short 'NDPS').

3. There is no medical emergency which can be countenanced. Though Mr. Bidkar attempted to argue on merits, this is an ingenious way of getting the matter listed under the caption of 'medical urgency' or on the ground of medical urgency of family members. The medical certificate appended to the praecipe cannot be countenanced by the Court. The certificate dated 20.08.2024 is a cursory certificate in

respect of a family member.

4. Mr. Bidkar would submit that father of Applicant resides in Uttar Pradesh and he is unwell and immediately thereafter he had attempted to argue the matter on merits.

5. Registry is directed to list the matter as per its turn.

6. Praecipe is rejected.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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