

Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3472 OF 2024

Inusa Godwin @ John Peter

.. Applicant

Versus

The State of Maharashtra

.. Respondent

-
- Mr. Karthik S. Bhandary a/w. Mr. Shekhar S. Bhandary and Mr. Gajanan Shinde, Advocates for Applicant.
 - Ms. Shilpa K. Gajare – Dhumal, APP for Respondent – State.
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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 24, 2025.

P.C.:

1. Heard Mr. Bhandary, learned Advocate for Applicant and Ms. Gajare - Dhumal, learned APP for Respondent – State.

2. Applicant is arrested in offences punishable under the provisions of the Narcotics Drugs and Psychotropic Substances Act, 1985 (for short '**NDPS Act**') for the past more than 3 and ½ years. There is an apparent dichotomy and discrepancy which is pointed out by the learned Advocate for Applicant, *inter alia*, stating that at the time of seizure the alleged contraband was Methaqualone whereas the CA report identifies the contraband as cocaine.

3. *Prima facie* discrepancy is noted by the Court. Ms. Gajare – Dhumal, learned APP is directed to take appropriate instructions on the

aforesaid submissions made by Mr. Bhandary and apprise the Court on the next adjourned date. Even otherwise long incarceration of the Applicant pending trial entitles the Applicant to be released on bail. That apart it is seen that there are other transgressions and therefore case of the Applicant for bail deserves to be considered.

4. List the Bail Application on Board on **2nd May 2025**. To be listed on the **'First on Board'**.

[MILIND N. JADHAV, J.]

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AJAY TRAMBAK
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