

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.48 OF 2025

Moin Riyaz Khan .. Applicant
Versus
State of Maharashtra .. Respondent

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- Ms. Puja Yadav, Advocate i/by Mr. Shreerat Kamath for Applicant.
 - Ms. Shilpa K. Gajare – Dhumal, APP for Respondent – State of Maharashtra.
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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 13, 2025

P.C.:

- 1.** Mentioned out of turn at the time of rising of the Court.
- 2.** Heard Ms. Yadav, learned Advocate for Applicant and Ms. Gajare – Dhumal, learned APP for Respondent – State of Maharashtra
- 3.** This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking Bail in connection with C.R. No.7 of 2024 registered with Wadala T. T. Police Station for offences.
- 4.** Applicant is incarcerated for offence punishable under Sections 8 (c), 22 (c) and 29 of the Narcotics and Psychotropic Substances Act, 1985 (for short '**NDPS Act**') for 1 year and 6 months. Principal defence taken by Advocate is that at page No.53 letter of deposit of brass seal *qua* present crime in question refers to name of a completely third person and not Applicant.

5. That apart, she would submit that alleged contraband seized and stored was in a green coloured envelope while drawing inventory panchnama, but when it was taken out from the malkhana / strong room and procedure under Section 52A of the NDPS Act was carried out before the Magistrate the said envelope was stated to be of khakee colour.

6. Learned APP shall take appropriate instructions on the aforesaid two issues and apprise the Court on the next adjourned date.

7. Stand over to **12th March, 2025 at 02:30 p.m.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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