

HARSHADA H. SAWANT  
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

**BAIL APPLICATION NO.541 OF 2025**

Ramagauda Chandrayagaud Idgai .. Applicant  
**Versus**  
The State of Maharashtra .. Respondent

- .....
- Mr. Taraq Sayed a/w. Ms. Ashwini Achari, Advocates for Applicant.
  - Mr. Sukanta A. Karmakar, APP for Respondent.
- .....

**CORAM : MILIND N. JADHAV, J.**

**DATE : MARCH 17, 2025**

**P.C.:**

- 1.** Mentioned out of turn at the time of rising of the Court.
- 2.** Heard Mr. Sayed, learned Advocate for Applicant and Mr.Karmakar , learned APP for Respondent.
- 3.** Applicant is indicted in offences punishable under provisions of NDPS Act and admittedly there has been no conscious recovery from his possession save and except his indictment being based on statement of co-accused.
- 4.** In view of decision of Supreme Court in the case of *Tofan Singh Vs. State of Tamil Nadu*<sup>1</sup> reliance is placed on statement of co-accused can undoubtedly be proved by prosecution at the time of trial and it is seen that there is no direct nexus of Applicant.
- 5.** Prosecution shall consider the aforesaid submission made by

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<sup>1</sup> (2021) 4 SCC 1.

Mr. Sayed *qua* Applicant's role in question and apprise the Court accordingly for consideration of Applicant's case for release on bail. Applicant is in incarceration since 14.12.2023 which shall be noted by the prosecution.

**6.** Stand over to **26<sup>th</sup> March, 2025.** To be placed on 'Supplementary Board'.

**[ MILIND N. JADHAV, J. ]**

HARSHADA  
HANUMANT  
SAWANT

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