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

CRIMINAL BAIL APPLICATION NO. 685 OF 2025

Sunny Rambhau Kashyap

.. Applicant

Versus

Union of India and Anr.

.. Respondents

-
- Mr. Advait Tamhankar, Advocate for Applicant.
 - Mr. Hitendra J. Dedhia, APP for Respondent No.2 – State.
-

CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 20, 2025.

P.C.:

- 1.** Heard Mr. Tamhankar, learned Advocate for Applicant and Mr. Dedhia, learned APP for Respondent No.2 – State.
- 2.** Applicant is in private service and has no antecedents under the Narcotics Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') and admittedly there is no conscious possession of any contraband recovered from him. Crime has been registered after a courier parcel was received containing alleged contraband of MDMA and LSD.
- 3.** Applicant is incarcerated for more than one year.
- 4.** Mr. Tamhankar would submit that disclosure of the name of the Applicant is not made by any co-accused in the matter. He would submit that prosecution carried out certain technical investigation on

the basis of a phone number appearing on the courier parcel which got linked to the Applicant before the Court 3 months after lodging of the crime and summons was issued to the Applicant. He would submit that Applicant was arrested on the very next date when he attended the hearing in compliance of the summons.

5. In the present Application, Respondent No.1 is the Union of India. Learned Advocate for Applicant informs that Respondents have been served.

6. Considering the aforesaid facts, Respondent No.1 – Union of India is directed by Court to depute a responsible Advocate / Counsel to appear in the present Application after giving him appropriate instructions and file its Affidavit-in-Reply.

7. It is clarified that on the next adjourned date, if Respondent No.1 – Union of India's Advocate does not remain present, this Court shall not await his / her presence and proceed with passing appropriate orders in accordance with law.

8. Copy of this order shall be served by Advocate for Applicant on Respondent No.1 on the Union of India.

9. Stand over to **13th March, 2025 at 02:30 p.m.**

[MILIND N. JADHAV, J.]

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