HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.763 OF 2025

Jahid Chand Sayyed .. Applicant

Versus

State of Maharashtra .. Respondent

.....

- Ms. Ashwini Achari, Advocate for Applicant.
- Ms. Savita M. Yadav, APP for Respondent.

.....

CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 21, 2025

P.C.:

1. Heard Ms. Achari, learned Advocate for Applicant and Ms. Yadav, learned APP for Respondent.

2. Applicant is in custody since October 2023 for offences punishable under provisions of the Narcotics and Psychotropic Substances Act, 1985 (for short '**NDPS Act**'). Applicant was found in possession of 125.6 grams of alleged contraband. He is arraigned as Accused No.1 in the crime.

3. Ms. Achari would draw my attention to page No.50 of the Application which is the letter given to the Applicant to apprise him of his rights under Section 50 of the NDPS Act and would point out an apparent discrepancy and dichotomy in the letter with reference to the authority (न्यायदंडाधिकारी) stated therein.

4. That apart, she would submit that the seizure procedure is

completely transgressed when it is admittedly stated in the memorandum panchanama that recovery of four packets of the alleged contraband was made but contrary to the procedure established and the rules of seizure, the said 4 packets are mixed together by the raiding party which ought not to have been done.

5. Prosecution shall take appropriate instructions on the aforementioned submissions made by Ms. Achari and apprise the Court on the next adjourned date.

6. Stand over to **01st April, 2025 at 02:30 p.m**.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA HANUMANT SAWANT

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