

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 894 OF 2025

Avinash Shreekumar Kushwaha	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

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- Mr. Silvin Kale for Applicant
 - Ms. Rajeshree V. Newton, APP for State

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 4, 2025

P. C.:

1. Heard Mr. Kale, learned Advocate for Applicant and Ms. Newton, learned APP for State.
2. At the outset, Mr. Kale seeks leave to amend the cause title of the present Application to rectify the name of the Applicant's father. Leave granted. Amendment is permitted to be carried out within a period of one week from today. Reverification stands dispensed with. Copy of the amended cause title shall be served on Respondent.
3. Applicant is arraigned as accused No. 3. Mr. Kale would submit that no conscious possession of any contraband has been recovered from the Applicant. He would submit that the alleged contraband was seized from possession of accused Nos. 1 and 2. Insofar as the role of the present Applicant is concerned, Mr. Kale would submit that he was merely instrumental in receiving certain amounts from Accused No. 1

and subsequently transferring the same through his bank account which is the work that he did even otherwise. He would submit that Applicant has no nexus whatsoever either with the transaction of the alleged contraband nor with accused Nos. 1 and 2. Applicant is in incarceration for the last 7 months.

4. A copy of the Application has been served upon the learned APP. The learned APP is directed to go through the aforesaid submissions and apprise the Court on the next date of the Applicant's role in the crime and his nexus after obtaining necessary instructions.

5. Stand over to **26th March, 2025.** To be placed on **Supplementary Board.**

[MILIND N. JADHAV, J.]

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