

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1274 OF 2025

Mohd Iqbal Nabi Shaikh

.. Applicant

Versus

The Union Of India and Anr.

.. Respondents

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- Mr. Bipul Maity, Advocate for Applicant.
- None for Respondent No.1.
- Mr. Hitendra J. Dedhia, APP for Respondent No.2.

.....

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 01, 2025

P.C.:

1. Heard Mr. Maity, learned Advocate for Applicant and Mr. Dedhia, learned APP for Respondent No.2.

2. Applicant is indicted under provisions of Narcotics and Psychotropic Substances Act, 1985 (for short '**NDPS Act**') for having been apprehended with 38 grams of alleged contraband namely 'Mephedrone'. He is incarcerated for past more than two years and 5 months.

3. Mr. Maity would submit that Applicant is arraigned as Accused No.1 in the present crime and seizure panchnama shows that he has been searched and alleged contraband has been seized at location in Shil Phata near Mumbra.

4. Mr. Maity would submit that CDR Analysis Reports referred

and relied upon by prosecution in the same crime and appended to the charge-sheet shows that the location of Applicant at the time of search and seizure of alleged contraband was at IIT Powai. It is reflected according to transcript on page No.335.

5. That apart, Mr. Maity would submit that there is discrepancy on the date of arrest as the Applicant was placed under detention for quite some time which he would require to argue.

6. Considering the aforesaid submissions, prosecution shall take instructions and apprise the Court accordingly about the precise role of Applicant. Considering the long incarceration of Applicant, the present Application shall be heard and decided on the next adjourned date.

7. Stand over to **29th April, 2025.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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