

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2668 OF 2025

Firoz Akbar Abdul Rahim Khan

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Taraq Sayed a/w Ms. Ashwinii Acharii, for the Applicant.
Mrs.Sangeeta E. Phad, APP, for the Respondent - State.

CORAM: R. M. JOSHI, J.

DATED: 30th APRIL, 2026

PC:-

1. Learned Counsel for the Applicant submits that in this case there is non compliance of mandatory provisions of Section 42 and 50 of The Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 (for short, "NDPS Act"). To support his submission he drew attention of this Court to the chargesheet which according to him does not indicate any document showing that the person who received the secret information has reduced the same in writing. Apart from this as far as compliance of Section 50 of NDPS Act is concerned, it is claimed that on the basis of the panchanama it can be seen that the Police Inspector who conducted the search has introduced himself to be a Gazetted Officer and as such it is a breach of the mandatory provisions of Section 50. To support his submission he placed reliance on case laws, which is filed on record.

2. Learned APP seeks time to respond to the said submission more particularly the submission with regard to non compliance of Section 42.
3. At her request, stand over to **8th May 2026**.
4. **Part Heard.**

(R. M. JOSHI, J.)

VDMokal/-