

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

Anticipatory Bail Application No.1404 of 2024

Saida Yusuf Shaikh

Age : 45, Occupation: business

residing at 402, Ratan Niwas, Bombay

Colony, near St.Zone School, Mumbra,

Dist.Thane.

... Applicant.

Vs.

The State of Maharashtra

(Diaghar Police Station,Dist.Thane)

.... Respondent.

Mr Mandar Goswami for applicant.

Mr Avinash Naik, APP for respondent/State.

PSI DC Kini, Anti Narcotics Cell, Thane,Crime Branch,
Diaghar Police Station present.

Coram: R. N. Laddha, J.

Date : 18 June 2024.

P.C. :-

Heard Mr Mandar Goswami, the learned Counsel appearing on behalf of the applicant, and Mr Avinash Naik, the APP the learned Additional Public Prosecutor representing the respondent/ State.

2. This is an application for pre-arrest bail filed by the applicant apprehending arrest in CR No.0325 of 2023, registered at Diaghar Police Station, Thane, for offences punishable under Sections 8(c), 22 (c) and 29 of the NDPS Act and 18(c), 18(a) read with 27(b) and 28(a) of the Drugs and Cosmetics Act.

3. The prosecution alleges that the first and second accused have been arrested with a commercial quantity of Codeine, totalling 1611 bottles, each with 100 ml of Codeine Phosphate solution. The investigation has uncovered that these bottles were brought by the arrested accused from the applicant, who is the mother-in-law of the second accused. The applicant purchased them from Bharat Choudhari and Sandip Tomar, linked to the pharmaceutical company, suggesting a wide spread network. Further, Shahrukh, the applicant's nephew and third accused, has been found to illegally trade cough syrup, which he claims to have received from the applicant. Rizvi Baugh Society has filed a complaint against the arrested accused Babar Shaikh and Shahrukh Shaikh for unauthorised cough syrup sale. Bharat Choudhari who is absconding, allegedly misused the "*Pradhan Mantri Bhartiya Jan Aushadhi Kendra*" license to procure supplies

from the producer. The applicant has engaged in extensive retail sales of the cough syrup.

4. Upon perusing the records, it appears that the statement of the witnesses suggest the applicant's specific role as the supplier of the alleged contraband substance procured from Bharat Choudhari, who acquired it under the false pretext of medicine production. There appears to be a chain of supply, distribution and sale. The Rizvi Baugh Society has lodged a complaint against other accused individuals connected to the applicant, including her nephew, for their involvement in related offences. There is *prima facie* material indicating the applicant's involvement in the crime. A significant amount of substance, with 1611 bottles of 100 ml solution has been seized. The ongoing investigation aims to expose a large network involved in the unauthorised sale of these medicine bottles for use as a psychotropic substance. In the circumstances, custodial interrogation of the applicant would be necessary. Resultantly, the application stands rejected.

[R. N. Laddha, J.]