

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

ANTICIPATORY BAIL APPLICATION NO. 3054 OF 2024

Farzana Mard Shaikh Hakim	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Nikhil G. Hire a/w Sainath Garade and Sampada S. Patil for the Applicant.

Mr. Mayur S. Sonavane, APP for Respondent-State.

**CORAM: MANISH PITALE, J.
DATE : 21st NOVEMBER 2024**

P.C. :

1. The present application is moved for anticipatory bail in connection with FIR, wherein offences under the provisions of the Narcotic Drugs and Psychotropic Substances Act, 1985 (NDPS Act) have been registered. This Court is of the opinion that anticipatory bail applications concerning such matters cannot be casually considered and allowed, since they concern serious offences against the society.

2. In any case, the stringent twin test contemplated under Section 37 of the NDPS Act is to be satisfied by the accused, while seeking regular bail and the threshold would be much higher when the question of anticipatory bail is involved.

3. The learned counsel for the applicant relied upon certain

judgments, wherein the Supreme Court and this Court granted anticipatory bail, even in cases involving offences under the NDPS Act. One of the relevant considerations would be the criminal antecedents of the applicant, as the accused person apprehended in the present case, being her son, specifically stated to the Investigating Authority that the applicant herein had given him the commercial quantity of contraband to be sold.

4. The learned APP seeks short adjournment to ascertain the aspect of criminal antecedents of the applicant.

5. List the application on 25th November 2024, to be included in the production board.

MANISH PITALE, J.