



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 219 OF 2025

Reshma Anjum Sayyad Wd/o. Sayyad Ejaz
Age: 45 years, Occu.: Housewife,
R/o. : Kile-Ark, Kala Darwaza,
Aurangabad.

.....Applicant

Versus

The State of Maharashtra
Through Police Station Officer,
Begumpura Police Station,
Aurangabad.

.....Respondent

.....

WITH BAIL APPLICATION NO. 212 OF 2025

Yusuf Khan Maheboob Khan
Age: 28 years, Occu.: Auto Rickshaw Driver,
R/o. : Galli No.11, New Baijipura,
Indiranagar, Tq. & Dist.Cht. Sambhajinagar.

.....Applicant

Versus

The State of Maharashtra
Through P. I. Begumpura Police Station,
Tq. & Dist.Cht. Sambhajinagar.

.....Respondent

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Advocate for Applicant in BA/219/2025 : Mr. Sachin M.Nannaware
Advocate for Applicant in BA/212/2025 : Ms.J.R.Nawale h/f.
Mr.VD.Salunke

APP for Respondent : Mr.C.V. Bhadane

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 07 MARCH, 2025

ORDER :

1. Both applications are for grant of regular bail on account of their arrest in crime no.0261 of 2024 registered with Begumpura

Police Station, Chhatrapati Sambhajinagar (Aurangabad) for offence under Sections 18(c), 27(b) of the Drugs and Cosmetics Act and under Sections 22(b), 8(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act (NDPS Act).

2. Learned counsel for applicant in Bail Application No.219 of 2025 submitted that applicant Reshma is arrested on 19-10-2024. That, applicant is a lady and there are allegations that she was in possession of 76 bottles of Syrup, which is said to be a scheduled and banned medicine. It is further pointed out that except above allegation of being in possession, no other act is attributed to the applicant. That, now investigation is over and chargesheet is also filed on 16-12-2024. Therefore, no further recovery is shown to be made at her instance and as such no purpose would be served by further detaining applicant. That, applicant has children and she is behind bars since October, 2024. Hence, for above reasons, bail is urged for.

3. Learned counsel for applicant in Bail Application No.212 of 2025 also pointed out that applicant was arrested on 21-10-2024. According to learned counsel, only role attributed to applicant is that

alleged bottles were transported in his Auto Rickshaw. That, he was not aware of the product allegedly transported. That, nothing is also shown to be further recovered or discovered at his instance and as applicant is ready to abide by all and any condition, learned counsel too prays for grant of bail.

4. Both above applications are resisted by learned APP on the ground that without authorization and licence, applicant Reshma / accused no.1 was in possession of bottles containing Reksodin Syrup and the same was meant for sale and thereby she had committed offence under Sections 22(b), 8(c), 29 of the NDPS Act and violated provisions of the Drugs and Cosmetics Act. Learned APP pointed out that, 76 bottles are recovered from possession of applicant no.1 and applicant no.2 was transporting the same. According to learned APP, applicant no.1 has criminal antecedents for committing similar offence. However, he submitted that applicant no.2 has no criminal antecedents whatsoever.

5. Heard. Perused the papers. Both applicants are apparently arrested on 19-10-2024 and 21-10-2024 respectively. Informant seems to be a Officer of Anti-Narcotic Cell, Crime Branch, Chhatrapati Sambhajinagar. It is alleged that in a raid arranged and

conducted on secret information, applicant no.1 was found in possession of 76 bottles of Reksodin Syrup. There was no permit and no licence but the same were said to meant for sale. On above information, crime has been registered. Now, seizure is already effected. Investigation is over and chargesheet is also said to be filed. Therefore, no purpose is shown to be achieved by further continue detention of applicants, one amongst whom is a lady. Merely because there are criminal antecedents, is not itself sufficient to refuse grant of bail. Apprehension of misuse of liberty expressed by learned APP can be taken care of by imposing stringent conditions. Hence, the following order :

ORDER

- (i) Both Applications are allowed.
- (ii) Applicants i.e. Reshma Anjum Sayyad Wd/o. Sayyad Ejaz (applicant in Bail Application No.219 of 2025) and Yusuf Khan Maheboob Khan (applicant in Bail Application No.212 of 2025) be released on bail in connection with Crime no.0261 of 2024 registered with Begumpura Police Station, Chhatrapati Sambhajinagar (Aurangabad) on executing Personal Bond of Rs.15,000/- each with one surety in the like amount each.
- (iii) Applicants shall not tamper prosecution evidence.

(iv) Applicants shall not leave jurisdiction of Begumpura Police Station, Chhatrapati Sambhajinagar (Aurangabad), till conclusion of trial, except for attending dates fixed in the Court.

(ABHAY S. WAGHWASE)
JUDGE

SPT