

Ajit Pathrikar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4686 OF 2024**

Faisal Nisar Ansari ...Applicant
Versus
State Of Maharashtra ...Respondent

Mr. Tuushar Sonawane, *for the Applicant.*
Mr. Yogesh Dabke, *APP for the State-Respondent.*

CORAM DR. NEELA GOKHALE, J.
DATED: 27th NOVEMBER 2025

PC:-

1. The Applicant seeks his release on bail in connection with C.R. No. 1200 of 2024 dated 28th May 2024 registered with the Shanti Nagar Police Station, Thane City for the offences punishable under Sections 8(c) and 22(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, “NDPS Act”) and Sections 328, 273, 276 and 34 of the Indian Penal Code, 1860 (for short, “IPC”).

2. Mr. Tuushar Sonawane, learned Counsel for the Applicant, submits that 300 bottles of cough syrup being sold

under the name Apcores were recovered from the Applicant. At page 97 of the Bail Application, a picture of the one bottle of cough syrup indicates that the quantity of codeine phosphate in the cough syrup is 10 mg in one bottle. Hence, he submits that in 300 bottles, the quantity of codeine phosphate is only 3 gms., which is an intermediate quantity. Hence, he submits that the Applicant be released on bail and the rigors of Section 37 will not apply.

3. Mr. Yogesh Dabke, learned APP, submits that the Court must not go on the representation made on the label of the bottle and the CA report is yet awaited. Admittedly, the Applicant is in custody since 28th May 2024 and till date that is even after a period one and half year, the CA report has not been received from the FSL.

4. In these circumstances, in order to ascertain the quantity of the narcotic substance seized from the Applicant, it is necessary that the CA report is expedited. The FSL is directed

to expedite the CA report and provide the same to the Investigation Officer within a period of 15 days from today.

5. Stand over to 23rd December 2025.

(DR. NEELA GOKHALE, J)