

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

ANTICIPATORY BAIL APPLICATION NO.2954 OF 2025

Rehan Rizwan Ahmed

... Applicant

V/s.

Union of India & Anr.

... Respondents

Mr. Taraq Sayed a/w Ashwini Acharii, Anish Pereira for the Applicant.

Ms. Geeta Nayyar, SPP for Respondent No.1-UOI.

Mr. R. M. Pethe, APP for Respondent No.2-State.

CORAM : N.R. BORKAR, J.

DATE : 04TH NOVEMBER 2025

P.C. :

1. This is an Application for anticipatory bail.
2. The Learned SPP for Respondent No.1 has tendered Affidavit-in-Reply. The same is taken on record.
3. The Applicant is apprehending his arrest in File No.SG/INV-05/2022-23/SIIB/APSC registered with Special Intelligence and Investigation Branch (SIIB), APSC, Mumbai Customs Zone-III, for the offences punishable under Sections 8(c) and 20(b)(i) of the Narcotic Drug and Psychotropic Substances Act, 1985.
4. The said intelligence consignment having AWB No.12W82R10426629877 of M/s. UPS Courier imported vide CBE – CBEXI_BOM_2022_2023_1604_10488 was examined and 240 grams of greenish brown dump substance having unpleasant odour, purported to be Cannabis was found in the said consignment. On scanning of the said

Digitally
signed by
MUGDHA
MANOJ
PARANJAPE
Date:
2025.11.07
19:26:41
+0530

substance, it was detected that it contained THC/Tetrahydrocannabinol. The said parcel was sent from United States and destined to Shri Zubair Shaikh, Sector-8, Kharghar, Flat No.803, Shelter Park, Navi Mumbai, Maharashtra-410210. The abovesaid substance was seized and was handed over to the custodian, i.e., Cargo Service Centre. A dummy package similar to the shape and size of actual imported package of the said import consignment was prepared and handed over to the custodial of ICT, Sahar, Mumbai Zone-III for keeping it in safe custody. A team of SIIB officers was constituted for carrying out controlled delivery of the abovesaid consignment on 20th April 2022. A person contacted to the Manager, UPS courier service telephonically through a mobile No.9699913142 for the inquiry of the abovesaid import parcel to know the status of the package. The delivery boy tried to confirm the address given on the parcel to which importer told that he was going outside and requested to deliver the package near Nerul. The team of officers and the delivery boy then in the van started moving towards Nerul. In the meanwhile, consignee once again called and asked the delivery boy to come to D. Y. Patil University Gate No.7, 8, 9. As soon as the delivery van reached the said location, one person asked the delivery boy for the delivery, however, he ran away without taking the delivery of the package, as he sensed something suspicious regarding the delivery of the package. The officers ran behind him, however they could not apprehend him. The team of officers also tried reaching out to the address mentioned on the parcel, however, the address mentioned on the parcel was found to be improper and incomplete.

5. The CDR/CAF of mobile No.9699913142 was sought from the telecom operator and it was found that the abovesaid mobile number was registered in the name of Mrs. Sayyed Nargis Rizwan Ahmed. The call details of the said mobile number was thoroughly scrutinised and it was found that several incoming and outgoing calls were made by mobile Nos.7304026609 and 7021400682. The SDR and CDR of the said mobile numbers were sought and the summons were issued to the respective subscribers. The statement of the said subscribers were recorded. One of the witnesses, Mr. Bilal Mukhtar Chougale stated in his statement that mobile No.9699913142 belongs to the present Applicant, who is his friend residing in the building Maitri Planet, Sector-35, Kharghar, Navi Mumbai.

6. I have heard Learned Counsel for the Applicant and Learned SPP for Respondent No.1.

7. Learned Counsel for the Applicant submits that the Applicant has nothing to do with the alleged crime. It is submitted that search of the premises was conducted and nothing incriminating was found. It is submitted that the investigating officer has already recorded the statement of the Applicant. It is submitted that there is no need of custodial interrogation of the Applicant. It is further submitted that there are no other criminal antecedents against the Applicant.

8. On the other hand, Learned SPP for Respondent No.1-UOI submits that the Applicant is involved in serious crime under the NDPS Act. It is submitted that custodial interrogation of the Applicant is necessary for

thorough investigation of the crime. It is submitted that considering the nature of crime, the Applicant may not be released on anticipatory bail.

9. It is not disputed that the premises of the Applicant was searched on 28th May 2024 and nothing incriminating was found. Thereafter, twice the statement of the Applicant was recorded and he was allowed to go. It is not the case that some new incriminating material was found thereafter and thus the custodial interrogation of the Applicant is necessary. There are no other criminal antecedents against the present Applicant. Considering the overall facts and circumstances of the case, I am inclined to release the Applicant on anticipatory bail. Hence, the following order:

ORDER

- i. The Anticipatory Bail Application is allowed.
- ii. In the event of the arrest of the Applicant in File No.SG/INV-05/2022-23/SIIB/APSC registered with Special Intelligence and Investigation Branch (SIIB), APSC, Mumbai Customs Zone-III, for the offences punishable under Sections 8(c) and 20(b)(i) of the Narcotic Drug and Psychotropic Substances Act, 1985, he shall be released on bail on furnishing a PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- iii. The Applicant shall appear before the investigating officer as and when called and shall co-operate in the investigation.
- iv. The Applicant shall not commit any other crime.

10. The Anticipatory Bail Application is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)