

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3247 OF 2025**

Akila B Mohammad Momin ... Applicant
V/s.
State of Maharashtra ... Respondent

Ms. Shaikh Afreen Bano for the Applicant.
Mr. P. H. Gaikwad, APP for the Respondent-State.
PSI Patil, ANC, Kandivali Unit is present.

**CORAM : N.R. BORKAR, J.
DATE : 26TH NOVEMBER 2025**

PC. :

1. This is an Application for anticipatory bail.
2. The Applicant is apprehending her arrest in Crime No.42 of 2004 registered with Anti Narcotic Cell, Mumbai for the offences punishable under Sections 8(c), 21 and 29 of the Narcotic Drug and Psychotropic Substances Act, 1985.
3. On 20th April 2004 the co-accused in the said crime was apprehended as he was found in possession with 1 kg Heroin. During further investigation, it was revealed that co-accused Ismail Ajmeri sold the contraband to another co-accused Ms. Rita Mishra. The police further seized 1 kg 500 grams of Heroin from the house of co-accused Ismail Ajmeri. The present Applicant is the wife of co-accused Ismail Ajmeri.
4. I have heard Learned Counsel for the Applicant and Learned APP for the Respondent-State.

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5. Learned Counsel for the Applicant submits that the Applicant has nothing to do with the alleged crime. It is submitted that the Applicant was not aware about registration of the present crime and that the Applicant is made an accused in the said crime. It is submitted that the Applicant is 54 years old woman. It is further submitted that the trial against the other co-accused is already over and they have been acquitted.

6. On the other hand, Learned APP for the Respondent-State submits that for more than twenty years, the Applicant is absconding. It is submitted that even the proclamation is issued against the present Applicant. It is submitted that considering the nature of crime, the Applicant may not be released on anticipatory bail.

7. Admittedly, the husband of the present Applicant was accused in the present crime. There is nothing to show that at the relevant time when the alleged recovery was made, the Applicant was not residing with her husband. Thus it is difficult to believe that she was not aware that she is also one of the accused in the present crime. In that view of the matter, I am not inclined to release the Applicant on anticipatory bail. Hence, the Anticipatory Bail Application is rejected.

(N.R. BORKAR, J.)