IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1990 OF 2026

SAYYED SAMEER SAYYED SHAOUKAT ALIAS STYLO
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Amol Kakade h/f. Mr. Abhijit B.Bhagat
APP for Respondent - State : Mr. S. V. Hange

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CORAM : HITEN S. VENEGAVKAR, J.

DATED : 12th OCTOBER, 2026

PER COURT :

1. Heard the learned Advocate for the applicant and the learned APP for the respondent-State. With the able assistance of the learned Advocates, I have also perused the entire charge-sheet and prosecution papers.

2. The present application is filed under Section 483 of the BNSS, seeking regular bail of the applicant, who was arrested on 13th September, 2025 in connection with FIR bearing No.279 of 2025, registered with Waluj Police Station, District Chhatrapati Sambhajinagar. The investigation is complete and the charge-sheet has been filed.

3. Learned Advocate for the applicant submits that, in all

there are 41 accused persons. Out of the said 41 accused persons, 17 persons have been arrested and are in custody, whereas the other accused persons have not even been arrested.

4. The prosecution story, in brief, is that on 12th September 2025, lady Police Inspector by name Geeta Bagwade received secret information pertaining to a racket which was working for selling intoxicants to young girls and boys illegally. It was further informed to the said Police Inspector that Avinash Patil and Rupesh Patil, who are residents of Yeola, had ordered a consignment of bottles of cough syrup from one Rayyan Medical Stores, Uttar Pradesh for the purpose of selling and distributing the same to young girls and boys. The said consignment will reach to VRL Logistics at Waluj and Avinash Patil would come to the said VRL Logistics for receiving the consignment. Therefore, the police, along with the panch witnesses had arranged a trap. It is further case of the prosecution that when the police along with the panch witnesses reached near the said VRL Logistics at Waluj and contacted Mahesh Garad, the Manager of the said logistics company and informed him about the matter. At about 2:30 p.m., one person came to the said VRL Logistics in his Swift car. He showed the receipt to the Manager on his mobile phone and asked him to hand over the consignment. Accordingly, the said Manager

handed over the consignment to the said person. Immediately thereafter, the police came forward and accosted the said person. On inquiry, the said person disclosed his name as Avinash Patil, who is a resident of Shirasgaon, Taluka Chalisgaon. He further disclosed that he along with his associates had called for the said consignment in the name of the medical shop of Amol Dattatraya Yeole, which was closed. It was further disclosed by Avinash that his brother Rupesh Patil is a medical representative of Aristocrat Company and that they all with the help of some other peddlers of their gang, were selling and distributing the said syrup illegally to gain monetary benefits.

5. It is the case of the prosecution that when the police took search of the said parcel/consignment, they found 20 boxes containing 128 bottles each of Raytuss syrup. The said cough syrup was containing Codeine Phosphate & Triprolidine HCI Syrup. The police seized the said boxes containing the bottles in presence of panch witnesses and prepared a panchnama to that effect.

6. When the inquiry further proceeded, accused Avinash Patil further disclosed that his brother Rupesh Patil had asked him to hand over some boxes to Arshad Pathan, resident of Sambhajinagar. Sometime thereafter, accused Arshad Pathan,

Samir Sheikh Yunus Sheikh and Abdul Ajim Kadir Shah came there by auto-rickshaw. Arshad talked with accused Avinash Patil and told him that Rupesh Patil had asked him to receive the bottles from Avinash Patil. During further investigation, the name of the present applicant surfaced and therefore, the present applicant came to be arrested.

7. Learned Advocate appearing for the applicant submits that the present applicant has no nexus with the alleged offence. He argues that the only material that the prosecution could collect against him pertains to the CDR report and his telephonic contact with accused Arshad. Apart from this, there is no piece of material against the present applicant to connect him with the alleged offence or with the alleged consignment. He submits that there is also no material to connect the applicant with any allegation that he is addicted to any kind of drug. He thus submits that the provisions of NDPS Act are not applicable to the present applicant. He, therefore, prays that the applicant be released on bail.

8. Learned APP however, opposed the application by stating that there is ample material against the present applicant to show that he was in regular contact with accused No.2. He submits that there is a history of telephone calls with the co-

accused persons and there are also regular phone calls which are exchanged between the present applicant and the accused persons. He submits that the nexus can be inferred from the regular contact maintained by the present applicant with the other accused persons. Learned APP also points out that the applicant has a strong criminal history wherein six offenses have been registered against him, showing his criminal activity within the city of Chhatrapati Sambhajinagar. Taking into consideration the criminal activity and the allegations leveled against the present applicant, learned APP prays that the application be rejected.

9. Taking into consideration the submissions advanced by the learned Advocates and the prosecution material that has been placed before this Court, it reveals that, during investigation, the Investigating Officer has collected the bank details, call details, WhatsApp call records and chatting details of the present applicant and other accused persons. The prosecution has come to the conclusion that the present applicant had contacted the other co-accused persons and there were also some monetary transactions between them. There had also been regular telephone calls exchanged at regular intervals. Therefore, taking into consideration this material and the allegations made against the present applicant, the present applicant is arraigned as an accused

in the present offence.

10. If this is the only material that has been collected by the prosecution against the present applicant, then, to my mind, the Sections Sections 8(c), 21(b), 22(b), 25, 27(a) and 29 of the NDPS Act and it's applicability will have to be proved by the investigating agency before the Trial Court.

11. Prima facie, only on the basis of this material, the present applicant cannot be continued in custody. Mere telephonic calls between the applicant and the other co-accused persons, especially accused No.2 alone would not be sufficient to prima facie hold that the present applicant is involved in the alleged offence and that his custodial detention should be continued.

12. Taking into consideration that the charge-sheet has been filed, the investigation is complete and custodial interrogation of the applicant is not necessary, I am inclined to allow the present application. Hence, the following order:

ORDER

(i) The Bail Application is allowed.

(ii) The applicant shall be released on bail in Crime No. No.279 of

2025, registered with Waluj Police Station, District Chhatrapati Sambhajinagar, for the offences punishable under Sections 8(c), 21(b), 22(b), 25, 27(a) and 29 of the Narcotic Drugs And Psychotropic Substances Act and under section 238 of Bharatiya Nyaya Sanhita and Section 18(c) and 27(b) of The Drugs and Cosmetics Act, on furnishing personal bond of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety in the like amount, subject to the following conditions :

a) The applicant shall attend the concerned police station on the first Monday and the last Monday of every month between 10:00 a.m. and 02:00 p.m. till framing of charge and thereafter shall regularly attend each and every effective date before the trial court, unless his attendance is specifically exempted.

b) The applicant shall not, directly or indirectly, contact, threaten, induce or influence the informant or any prosecution witness and shall not tamper with the prosecution evidence.

c) The applicant shall furnish his current residential address and mobile numbers to the Investigating Officer and the Trial Court within seven days of release, intimate any change forthwith, and attend the Investigating Officer upon prior written notice if further investigation is required.

d) The applicant shall not leave India without prior

permission of the trial Court and, if he possess passport, shall deposit the same with the Trial Court within seven days of his release.

e) The applicant shall not involve himself in any offence of a similar nature while on bail.

f) The applicant shall not enter the territorial boundaries of Chhatrapati Sambhajinagar city till the conclusion of trial, save and except for attending the Court dates.

g) Breach of any of the above conditions shall entitle the prosecution to apply for cancellation of bail.

h) All observations in this order are prima facie and confined to the decision of this bail application. The trial Court shall decide the case independently on the evidence led before it.

(iii) The Bail Application is disposed of in the above terms.

(HITEN S. VENEGAVKAR)
JUDGE

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