IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 ANTICIPATORY BAIL APPLICATION NO. 1933 OF 2026

SANDIP KAMLAKAR RAYEWAR
VERSUS
THE STATE OF MAHARASHTRA
...
Mr. Ravindra B. Narvade Patil, Advocate for Applicant
Mr. S. P. Joshi, APP for the Respondent/State

CORAM : R. M. JOSHI, J.
DATED : 30th OCTOBER, 2026

PER COURT :-

1. Applicant seeks pre-arrest bail in connection with Crime No. 486/2026, registered with Nanalpeth Police Station, District Parbhani, for the offences punishable under Sections 22(B), 8(C), 29 of the N.D.P.S. Act and Sections 18(C), 27 of the Drugs and Cosmetics Act.

2. As far as the First Information Report is concerned, on the basis of secret information, a raid was conducted, during which 8 bottles of Codius-T Cough Syrup and 24 bottles of Rx-Tuss Syrup were seized from the co-accused. The involvement of the Applicant in the crime was found on the basis of the statements of the co-accused.

3. Learned Advocate for the Applicant submits that the Applicant is a licence holder for the sale of the medicines allegedly seized from the co-accused. In support of his submission, on the last date of hearing, he placed

on record the licence, as well as the tax invoices indicating the purchase and sale of the said medicines to Maai Medical and Stores. It is his submission that the Investigating Officer ought to have verified the genuineness of the said documents. However, no investigation has been carried out in that regard. He, therefore, seeks protection of the Applicant's liberty.

4. Learned APP opposes the grant of any relief to the Applicant by referring to the alleged statements of the co-accused. However, for want of instructions from the Investigating Officer, he is unable to make any statement with regard to the correctness or otherwise of the documents placed on record by the Applicant.

5. *Prima facie* perusal of the record indicates that, except for the alleged statements of the co-accused, there is no other material to connect the Applicant with the crime. On the contrary, the Applicant has placed on record documentary evidence indicating that he is a licence holder and that he had purchased the medicines in question and sold the same to the medical store. In the absence of any verification of the said documents by the Investigating Officer, this Court finds no reason or justification to discard the said documents at this stage. Even during the course of hearing, no further time was sought by the learned APP for verification of the said documents.

6. During the course of arguments, the learned APP submits that,

according to the Investigating Officer, the said documents were not produced before him during the course of the investigation. However, merely because the documents were not produced before the Investigating Officer, their genuineness could not be verified by him. This indicates that the relevant aspect has not been investigated by the Investigating Officer. The same reflects a lack of proper investigation into the matter. Hence, the following order:

ORDER

(i) Application is allowed.

(ii) In the event of arrest of applicant in connection with Crime No. 486/2026, registered with Nanalpeth Police Station, District Parbhani, for the offences punishable under Sections 22(B), 8(C), 29 of the N.D.P.S. Act and Sections 18(C), 27 of the Drugs and Cosmetics Act, he shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount.

(iii) He shall not contact the witnesses directly or indirectly.

(iv) He shall not interfere with the evidence in any manner whatsoever.

(v) He further directed to cooperate the investigating agency for further investigation.

7. Learned APP for the Respondent/State to communicate this order to the concerned Police Station.

8. This order be sent to the Sr. P.I. of the concerned Police Station.

(R. M. JOSHI, J.)

ssp