

MHRG170022032024



IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
PANVEL-RAIGAD
ORDER BELOW EXHIBIT NO.8 IN SPECIAL CASE NO.186/2024
(Dated 05/01/2026)

The applicant/accused Shaikh Tanveer Mohammad Shafi has filed present application for regular bail under section 483 of the BNSS, 2023.

2. In short the prosecution case is that, on 04/05/2024, at about 10.30 a.m. the officers of Narcotic Control Bureau, Mumbai Zonal Unit, received specific information that, one person namely Rais Hussain Shaikh is involved in purchasing and selling of Tripolidine Hydrochloride, Codeine Phosphate FEDEREX cough syrup and Alprazolam tablets in huge quantity. He is running one fake agency in the name of 'Raj Traders' in the house of one Sharad Narayan Chaudhary situated near Ekvira temple, Shirdhon pada, Tal, Panvel Dist. Raigad. Some of his associates viz. Shaikh Tanvir Mohammad Shafi i.e. the present applicant and Aslam Kureshi are also working under him in this business. Further one consignment of 12 boxes wrapped with plastic gunny bag containing Tripolidine Hydrochloride and Codeine Phosphate FEDEREX cough syrup and Alprazolam

tablets will be delivered to the said address by the Safe Express Transport between 01.00 p.m.-02.00 p.m. on 04/05/2024 for the said Rais Hussain Shaikh. The present applicant will collect said boxes containing FEDEREX Cough syrups and Alprazolam Tablets from the above said house in the evening at about 04.00 p.m.-05.00 p.m. on 04/05/2024.

3. The aforesaid information was taken down in writing and forwarded to the superior officials to obtain the necessary authorization in order to act upon it. After getting permission from superior officials, one raiding team of officers was constituted in order to act upon the said information. Thereafter the officers of Narcotic Control Bureau reached the house of Sharad Narayan Chaudhary. At about 01.30 p.m. one vehicle of Safe Express Transport was seen coming towards said house. The delivery boy stopped the vehicle at the said house. He got down from the vehicle and called the owner of the house. Thereafter one person came to said spot, opened the lock of the room, after which delivery boy unloaded 12 boxes wrapped with white gunny bag and kept it in the said room.

4. The delivery boy and said person were apprehended by officers of Narcotic Control Bureau. The delivery boy revealed to the officers that, he had to deliver the consignment to 'Raj Traders' as per instructions from the transport company. The person who opened the room and took delivery of consignment revealed his name as Sharad Narayan Chaudhary. He further

revealed that he is the owner of said premises and the said room is taken on rent by one person viz. Rais Hussain Shaikh. He also disclosed that, he looks after the room. Thereafter the officers of Narcotic Control Bureau revealed the information to Sharad Narayan Chaudhary and requested him to co-operate them and mounted surveillance. At around 04.30 p.m. present applicant arrived at the said spot. The officers of Narcotic Control Bureau, apprehended him. He was interrogated thoroughly. At that time applicant revealed that he had come to collect boxes from said room. The officers thereafter requested applicant to open said room. Accordingly applicant opened locked room. Upon entering into said room, 12 boxes wrapped with plastic gunny bag were found kept in the left corner of the room. The said gunny bag was cut opened and 11 boxes were found to contain Tripolidin Hydrochloride and Codeine Phosphate FEDEREX cough syrup and 12th box was containing two brown cartoon boxes with bottles of Tripolidin Hydrochloride and Codeine Phosphate FEDEREX cough syrup and other box was containing Ultra Zolam Tablets IP Alpz-1. The officers of Narotic Control Bureau thereafter seized 1697 bottles of 100 ml. each of Tripolidin Hydrochloride and Codeine Phosphate FEDEREX syrup and 2.232 kgs. of Alprazolam Tablets from said premises. Thereafter all necessary formalities envisaged under NDPS Act were completed. The officers of Narcotic Control Bureau effected recovery of 1697 bottles of FEDEREX cough syrup purported to be contraband, Codeine Phosphate alongwith 6.248 Kgs of contraband tablets purported to be Nitrazepam as well as 1.248

kgs of contraband tablets purported to be Alprazolam. The informant thereafter set the criminal law into motion by lodging detailed report with Narcotic Control Bureau, Mumbai Zonal Unit. On the basis of report so lodged by informant an offence came to be registered against applicant and co-accused vide NCB/ MZU/ CR08/2024 for the offences p/u/sec. 8(c), 22(c), 28 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.

5. Heard Ld. Adv. Shri Taraq Sayed for the applicant and Ld.Spl.PP Shri C. J. Irani for the Narcotic Central Bureau. Perused application and reply filed by NCB at Exh.16.

4. Shri Sayed argued that, the applicant is innocent and has been falsely implicated in the crime in question. Shri Sayed further argued that, the house from where recovery was made was owned by co-accused Sharad Narayan Chaudhary. There is nothing on record to connect the applicant with the contraband allegedly recovered from the house of Sharad Chaudhary. The applicant did not carry the contraband. There is nothing in panchanama to show that, after seizure of contraband articles, the room was locked again. Shri Sayed further argued that, the officers of Narcotic Central Bureau have failed to comply with the provisions of Section 41, 42, 43 and 44 of the NDPS Act, while conducting raid. Shri Sayed further argued that investigation is complete. Charge-sheet has been filed in special Court. Contraband articles have been seized at the instance of

applicant and co-accused. The applicant is languishing in jail since 05/05/2024. Considering aforesaid circumstances his further detention in jail is not required. The applicant is ready to abide by the terms and conditions which may be imposed by the Court. Hence, Shri Sayed prayed that the applicant be released on bail.

6. As against this, it is submitted by Shri Irani that, the offence is serious and anti-social. The applicant found in conscious possession of huge quantity of contraband. The involvement of the applicant in the crime in question is well established. Considering aforesaid circumstances and allegations leveled against applicant, if he is released on bail, definitely he will involve again in similar kind of offence. The possibility of his jumping the bail cannot be ruled out. Hence, it is prayed by Shri Irani that the application be rejected.

7. I have given thoughtful consideration to the submissions advanced by both Ld. Advocates. I have also gone through the material placed on record. On appraisal of papers, prima facie, it appears that, commercial quantity of contraband came to be recovered at the instance of applicant and co-accused, therefore, the rigors of 37 of the NDPS Act will be attracted to the present case. Considering the aforesaid aspects and role attributed to the applicant, if he is enlarged on bail definitely he will indulge again in similar kind of offence. The possibility of applicant jumping the bail also cannot be ruled

out. Taking into account aforesaid aspects, in my view the applicant is not entitled to be enlarged on bail. Resultantly, I pass the following order.

ORDER

1. The application stands rejected.
2. Copy of order be sent to jail authority by E-mail.

Panvel

Date :-05/01/2026.

(S. R. Ugale)

Additional Sessions Judge,
Panvel-Raigad

CERTIFICATE

I affirm that, the contents of this P.D.F file judgment/ order are same, word to word, as per the original Judgment.

Name of Stenographer : S.J Sheth Steno(Grade-1)
Name of Court : District Court-1 & Additional
Sessions Court, Panvel
Date of Dictation (direct) : 05/01/2026
Order signed by the PO on : 12/01/2026
Order uploaded on : 12/01/2026