

Nagesh @ Nagnath Chandrashekhar ... vs State Of Maharashtra on 21 December, 2021

Author: V.G.Bisht

Bench: V.G.Bisht

22-ABA-3090-2021.D

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 3090 OF 2021

Nagesh @ Nagnath Chandrashekhar Kumbhar ...Applicant

Versus

The State of Maharashtra ...Respondent

.....

Mr. Ritesh Thobde for the Applicant.
Mrs.P.P. Shinde, APP for the Respondent -State.

.....

CORAM: V.G.BISHT, J.
DATE: 21ST DECEMBER, 2021

PC:-

1. Heard learned Counsel for the applicant and learned APP.
2. Perused the First Information Report (FIR).
3. It appears that the applicant was found in possession of Guthaka and Pan Masala. However, having regard to the facts and circumstances of the case, prima facie the applicability of Section 328 of the Indian Penal Code appears to be doubtful. The applicant therefore has made out a case for ad-interim protection. Hence the

following order is passed :

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ORDER

(i) In the event of arrest of the applicant in C.R.No. 425 of 2021 registered with Mandrup Police Station, Solapur Rural for the offences punishable under Sections 328, 272, 273, 188 of the Indian Penal Code and Section 59 of Food Safety and Standards Act, 2006, the applicant be enlarged on bail on his furnishing PR & SB in the sum of Rs. 20,000/- with one or two surety/sureties in like amount.

(ii) The applicant shall make himself available for interrogation by a police officer of concerned police station as and when required.

(iii) The applicant shall not tamper with prosecution evidence.

(iv) Issue notice to the concerned police station, returnable on 25th January, 2022.

(v) This order shall remain in force till the next date.

(V.G.BISHT, J.)