

Sushant Sunil Singh vs State Of Maharashtra on 1 March, 2022

Author: Bharati Dangre

Bench: Bharati Dangre

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.540 OF 2022

Sushant Sunil Singh ..

Vs.

The State of Maharashtra ..

...

Mr. Anti Singh for the applicant.

Mr. S.H. Yadav, A.P.P. for the State.

Mr. Sachi V. Shinde, PSI attachd to Ulhasnagar Police
present in the court.

...

CORAM: SMT. BHARATI DANGRE, J.

DATED : 01ST MARCH, 2022.

P.C:-

1. The only allegation faced by the present appl
No.I-381 of 2021 registered with Ulhasnagar Police St
invoking Sections 188, 272, 328 of the IPC and Sectio
(i), 27(3)(E), 3, 26(2)(iv), 30(2)(a) of the Food Saf
Standard Act, 2006, is that on the main accused Salim
being arrested, he has disclosed the name of the pres
as his supplier.

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2. The Investigating Officer, while opposing the case of the applicant for being released on bail before the trial court, pleaded that the applicant has many small and big pan kiosks and, therefore, assumed that he must have more contraband articles with him and this is cited as a reason for seeking his custodial interrogation. On the basis of the said say of the Investigating Officer, the Sessions Judge, Kalyan, in the order dated 18/01/2022 branded him as stockist, who had provided the contraband articles. When learned A.P.P. was asked to provide the material to that aspect, he was unable to lay his hands upon any such material.

3. The case of the prosecution is to the effect that, on an information received on 29/10/2021 to the effect that certain prohibited substance like tobacco, gutka, pan masala are stored in a godown located behind Najami General Stores, Mahatma Phule Chowk, Ulhasnagar, a raid was conducted and, on search, the prohibited substances like tobacco, scented betel nuts and allied products were found in huge quantity. This led to the arrest of one Salim Bhagwan, who owed the said godown and this led the Investigating Officer to the present applicant.

4. The sketchy connection projected by the main accused in respect of the present applicant on the ground that the applicant is telephonically in touch with the main accused, has led to his

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indictment in the present FIR.

5. As per the learned counsel for the applicant, the applicant is a young man of 29 years and an IT professional and he has no connection with the C.R., in which he is arraigned as an accused. Learned counsel submits that the applicant is ready to render all co-operation with the Investigating Officer. Upon such assurance being given, the applicant needs to be protected. Hence, the following order:

ORDER

(a) In the event of arrest, the applicant - Sushant Sunil Singh shall be temporarily released on bail in C.R. No.I-381 of 2021 registered with Ulhasnagar Police Station, District Thane on executing P.R. bond to the extent of Rs.25,000/- and furnishing one or two sureties of the like amount.

(b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case and shall not tamper with prosecution evidence.

(c) The applicant shall report to the Ulhasnagar AJN 4/4 12 ABA-540.22.odt Police Station, Dist. Thane on 7/03/2022, 09/03/2022 and 11/03/2022 between 10.00 a.m. and 2.30 p.m. and co-operate with the investigation.

6. It is made clear that the officer investigating the crime shall remain present during that aforesaid time in the police station and shall issue an attendance certificate to the applicant.

7. List the matter on 16/03/2022.

8. All parties are directed to act on the downloaded copy of the order supplied by the advocate under his seal and signature.

[SMT. BHARATI DANGRE, J.] AJN