Nisar Ahmed Babulal Aralimatti vs The State Of Maharashtra on 25 April, 2024

Author: N.J.Jamadar

Bench: N.J.Jamadar

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1091 OF 2024

Nisar Ahmed Babulal Aralimatti ... Applicant

versus

The State of Maharashtra ... Respondent

Mr. Chaitanya Pendse i/by Ms. Siddhi Bhosale, for Applicant. Mrs. Ranjana Humane, APP for State.

CORAM: N.J.JAMADAR, J.

DATE: 25 APRIL 2024

P.C.

- 1. Heard the learned Counsel for the parties.
- 2. This is an application for pre-arrest bail in connection with CR No.110 of 2024 registered with Supa Police Station, Baramati, Pune, for the offences punishable under Sections 328, 188, 272 of Indian Penal Code, 1860 ("the Penal Code") and Sections 26(2)(i), 3(1)(zz)(iv), 59, 27(2)(iv), 27(3)(d), 27(3)(e) of the Food Safety and Standards Act, 2006.
- 3. The applicant apprehends arrest in connection with the aforesaid crime as the co-accused in whose possession the contraband articles Gutakha Pan masala, has been seized, has named the applicant as the person privy to the offences.
- 4. In the matters having identical allegations, this Court has granted interim relief, as the question of applicability of Section 328 of the Penal Code in a case of the present nature awaits the decision of the Supreme Court.

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5. In view of the above, in the event of arrest of the applicant in CR No.110 of 2024, registered with Supa Police Station, the applicant be released on bail on furnishing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

- 6. The applicant shall cooperate with the investigation and report to the Investigating Officer as and when directed.
- 7. The applicant shall not tamper with the prosecution evidence and give threat or inducement to the first informant and any person acquainted with the facts of the case.

Stand over to 20 June 2024.

(N.J.JAMADAR, J.) Signed by: S.S.Phadke Designation: PS To Honourable Judge Date: $26/04/2024\ 16:26:51$