

Manoj Madhukar Gholap vs The State Of Maharashtra on 11 July, 2022

Author: Bharati Dangre

Bench: Bharati Dangre

1/2

903 ABA 1868-22.doc

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1868 OF 2022

Manoj Madhukar Gholap	.. Applicant
Versus	
The State of Maharashtra	.. Respondent
...	

Mr.Vishal Deukhmukh for the applicant.
Mrs.Rutuja Ambekar, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 11th JULY, 2022

P.C:-

1 The applicant is accused of offence punishable u/s.328, 188, 272, 273, r/w Section 34 IPC and Section 59 of the Food Safety and Standards Act along with Section 65(E) of the Maharashtra Prohibition Act, 1949.

2 Prohibited substance worth Rs.Two lakhs and liquor worth Rs.24,670/- came to be seized from a room which belong to the applicant. The panchnama was conducted in absence of the applicant and goods were seized. The applicant do not dispute that the room belongs to him. Since now the prohibited substance and the liquor has been already seized, the applicant deserve ad-iterim protection since the only offence which is non-

Tilak

::: Uploaded on - 11/07/2022

2/2

::: Downloaded on - 12/07/2022 06:14:24 :
903 ABA 1868-22.doc

bailable is Section 328 IPC and the legal position as regards the said Section, as to whether merely being found in possession of prohibited substance would attract Section 328 IPC, is not yet settled. Hence, the following ad-interim order :-

ORDER

(a) By way of ad-interim order, in the event of his arrest, the Applicant - Manoj Madhukar Gholap in connection with C.R.No.837/2022 registered with Kasturba Marg Police Station shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with 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 so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

(c) The Applicant shall report to the Police Station from 13/7/2022 to 15/7/2022 between 2.00 p.m to 5.00 p.m and render all his co-operation to the Investigating Officer.

3 List the Application on 27/7/2022.

(SMT. BHARATI DANGRE, J.) Tilak