

Mohammed Saeed Khan S/O Nisar Ahmed Khan vs State Of Maharashtra on 29 August, 2022

Author: Bharati Dangre

Bench: Bharati Dangre

1/3

16 ABA-2175-22.doc

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2175 OF 2022
Mohammed Saeed Khan s/o Nisar .. Applicant
Ahmed Khan

Versus

The State of Maharashtra .. Respondent

...
Mr.Ashok Kumar Dubey with Mr.Abhinav Duneey and
Ms.Shweta R. Yadav i/b SAVJ Law Solutions for the Applicant.
Ms.Anamika Malhotra, A.P.P. for the State/Respondent.
PSI Dighe, attached to L.T.Marg Police Station, present.
...

CORAM: BHARATI DANGRE, J.
DATED : 29th AUGUST, 2022

P.C:-

1. The present applicant apprehend his arrest i
C.R.No.658 of 2022 registered with L.T.Marg Police Station for
the offences punishable under Sections 328, 188, 179, 272,
273 of IPC and Sections 26(2), 26(2)(iv), 27(3)(c), 3 and 59
of the Foods Safety and Standards Act, 2006.
2. The subject C.R. arraigns one Shaf Shamshul Aalam as
an accused, who was intercepted and found in possession of
prohibited substance in form of pan masala and gutka, which

M.M.Salgaonkar

::: Uploaded on - 30/08/2022

2/3

::: Downloaded on - 30/08/2022

16 ABA-2175-22.doc

was seized by the police. The said substance was worth

Rs.3,83,960/- . In his remand report, name of the present

applicant has surfaced as a 'supplier' to him.

3. Pertinent to note that said Shaf Shamshul Aalam was

arrested and was released on bail on 14/06/2022 by the

learned Magistrate, Mazgaon.

Considering the legal position revolving around

invocation of Section 328 of IPC and since the legal conundrum

is pending before the highest Court of this country, the

applicant deserves his protection from arrest by way of

following ad-interim order.

: ORDER :

(a) In the event of arrest in connection with C.R.No.658 of 2022 registered with L.T.Marg Police Station, applicant-Mohammed Saeed Khan s/o Nisar Ahmed Khan shall be released on bail on furnishing P.R. Bond to the extent of Rs.25,000/- with one or two sureties in the like amount.

(b) The applicant shall report to the concerned police station on 19th and 20th September, 2022 between 2.00 p.m. to 5.00 p.m. and, thereafter, as and when called for.

M.M.Salgaonkar

3/3

16 ABA-2175-22.doc

(c) The applicant shall not directly or indirectly

make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

4. List the application on 12/09/2022.

(SMT. BHARATI DANGRE, J.) M.M.Salgaonkar