

# Akhtar Beg Ayyub Beg vs The State Of Maharashtra on 15 July, 2021

**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.1566 OF 2021

Akhtar Beg Ayyub Beg	..	Applicant
Versus		
The State of Maharashtra	..	Respondent
...		

Mr.Milind Deshmukh for the Applicant.  
Mr.Y.M.Nakhava, APP for the State.

...

CORAM: BHARATI DANGRE, J.  
DATED : 15th JULY, 2021

P.C:-

1. C.R.No.623 of 2021 is registered with Sangola Police Station invoking Sections 188, 272, 273, 328 read with Section 34 of the IPC and Section 59 of the Food Safety and Standards Act, 2006.

The allegation in the complaint is to the effect that one truck loaded with Hira Pan Masala and Royal 717 tobacco was being plied on 25/05/2021 in the jurisdiction of the complainant and the said truck was brought to the police station. The driver of the truck revealed that the material in the said truck was purchased from Raibaug, Dist. Belgaum, Karnataka and it was being transported to Aurangabad and was meant for one Attar Haji i.e. the present applicant. The samples of the goods loaded in the truck revealed that it was the substance, the sale and transportation of which was prohibited in terms of the notification dated 15/07/2020 for a

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period of one year and, therefore, what is alleged is that there is violation of the provisions of the Food Safety and Standards (Prohibition and Restriction on Sales) Regulation, 2011.

2. Learned counsel for the applicant states that the driver and the cleaner of the truck are released on bail by the Additional Sessions Judge, Pandharpur.

3. The details of the goods i.e. its origin and destination are disclosed by the driver. Further, the complaint also allege that it was a prohibited substance and the description of the said substance with its quantity is specified in the complaint itself. In such circumstances, it is not clear as to how the custody of the applicant would assist the prosecution as all the details are already there and in my considered opinion, custodial interrogation would serve no purpose, but at the same time, for investigation of the said offence, co-operation of the applicant is very much necessary. The applicant is, therefore, held entitled to be admitted to interim protection, subject to the following stipulations.

: ORDER :

(a) By way of interim protection, in the event of arrest in C.R.No.623 of 2021 registered with Sangola Police Station, applicant- Akhtar Beg Ayyub Beg 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.

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(b) The applicant shall report to the concerned police station on every Tuesday and Friday between 10.00 a.m. and 2.00 p.m. for a period of four weeks.

(c) 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 shall not tamper with the prosecution evidence.

3. List the application on 18th August, 2021.

[ SMT. BHARATI DANGRE, J ] M.M.Salgaonkar