

Madan Anurath Vaidya And Another vs The State Of Maharashtra on 26 September, 2022

Author: S. G. Mehare

Bench: S. G. Mehare

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13-ABA.1281-22.odt

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

13 ANTICIPATORY BAIL APPLICATION NO.1281 OF 2022

1. MADAN ANURATH VAIDYA
2. SUDAM BABASAHEB KATULE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Kawade Shrikant G.
APP for Respondent-State : Mr. V. M. Kagne.
...

CORAM : S. G. MEHARE, J.
DATE : 26.09.2022

PER COURT :-

1. Heard the learned counsel for the applicants and the learned APP for the respondent / State.

2. Issue notice to the respondent, returnable on 04.10.2022.

3. The learned APP waives service of notice for the respondent-State.

4. The applicants have no concerned with the alleged incident. They have been falsely implicated in the crime at

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belated stage of the investigation. The offence under Section
328 of the IPC does not apply in the case at hand. The other
offences are bailable.

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5. It is the case of transporting the scented Gutka and Pan
Masala. The issue regarding the applicability of Section 328 of
the IPC, is seized with the Hon'ble Apex Court. The Hon'ble
Apex Court granted interim protection to the applicants
approached before it. The names of the applicants have been
disclosed at belated stage. They have good case on merit.
Hence, the following order :

ORDER

(i) In the event of arrest, applicant Nos.1. MADAN ANURATH VAIDYA and 2. SUDAM BABASAHEB KATULE be released on interim bail, on furnishing P.B. and S.B. of Rs.20,000/- (Rupees Twenty Thousand only) each with one solvent surety of the like amount each, in Crime No.252 of 2022, registered with Police Station Murum, District Osmanabad, for the offences punishable under Sections 188, 272, 273 and 328 of the IPC and Section 59 of the Food Safety and Standards Act, on the conditions that they shall not tamper with the prosecution witnesses, they shall co-operate with the Investigating Officer.

(S. G. MEHARE, J.) ...

vmk/-