

# Manoj Tuljaram Talbhandare And Anr vs The State Of Maharashtra on 23 August, 2023

**Author: N. J. Jamadar**

**Bench: N. J. Jamadar**

29-ABA2373-2023.DOC

Santos

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2373 OF 2023

Manoj Tuljaram Talbhandare and anr.

...Applicants

Versus

State of Maharashtra

...Respondent

Mr. Ritesh Thobde, for the Applicant.

Mr. N. B. Patil, APP for the State.

CORAM: N. J. JAMADAR, J.

DATED : 23rd AUGUST, 2023

PC: -

1. Heard the learned Counsel for the parties.

2. This is an application for pre-arrest bail in connection with CR No.314 of 2023 registered with Faujdar Chawadi Police Station for the offences punishable under Sections 328, 188, 272 and 273 of the Indian Penal Code, 1860 ("the Penal Code") and Sections 26(2)(i), 26(2)(ii), 26(2)(iv) read with Section 27(3) (E), 30(2)(A), 59 of The Food Safety and Standards Act, 2006.

3. Pursuant to information, the Food Safety Officer accompanied by the police personnel conducted a raid at the godown of one Mallinath Katare. Accused No.1 Ganesh Katare was found therein in possession of the contraband articles 29-ABA2373-2023.DOC worth Rs.4,88,037/-. It transpired that the said contraband articles were supplied by the applicant.

4. The learned Counsel for the applicant submitted that there is no material to establish the nexus between the applicant and contraband articles. The applicability of the offence punishable under Section 328 of the Penal Code is debatable.

5. The learned APP seeks time to take instructions as the Investigating Officer is not present.
6. Stand over to 13th September, 2023.
7. In the meanwhile, in the event of arrest of the applicant in CR No.314 of 2023 registered with Faujdar Chawadi Police Station, he 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.
8. The applicant shall attend Faujdar Chawady Police Station on every Sunday in between 10.00 am. to 12.00 noon till the next date and cooperate with the investigation.
9. The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the person acquainted with the facts of the case.

[N. J. JAMADAR, J.]