

Shivajee Ramkrishan Gupta vs State Of Maharashtra on 19 December, 2023

Author: N. J. Jamadar

Bench: N. J. Jamadar

914-aba-3560-202

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3560 OF 2023

Shivajee Ramkrishan Gupta

...Applicant

vs.

The State of Maharashtra

...Respondent

Mr. Ravi Gupta, for the Applicant

Mr.. APP, for the Respondent/State.

CORAM : N. J. JAMADAR, J.

DATE : DECEMBER 19, 2023

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. This application is preferred seeking pre-arrest bail in connection with C.R. No. 608 of 2023 registered at Kashimira police station for the offences punishable under sections 328, 272 and 273 read with 34 of Indian penal Code, 1860 and sections 26(2)(i) and 26(2)(iv) of Food Safety and Standard Act, 2006.
3. The applicant apprehends arrest in connection with the aforesaid crime as the co-accused in whose possession the contraband articles - Gutakha Pan masala, has been seized, has named the applicant as the person who was supplier of the contraband articles.
4. The learned Counsel for the applicant submits that the applicability of Section 328 of IPC is debatable.

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5. The learned APP seeks time to take instructions.

6. In view of the above, in the event of the arrest of the applicant in connection with C.R. No. 608 of 2023 registered with Kashimira police Station, the applicant be released on bail on furnishing a P.R. bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

7. The applicant shall co-operate with the investigation and report to the Kashimira Police Station on 3rd and 4th January, 2024 in between 10.00 a.m. to 12.00 pm and thereafter as and when directed.

8. The applicant shall not tamper with the prosecution evidence and give threat or inducement to first informant, any of the prosecution witnesses or any person acquainted with the facts of the case.

Stand over to 30th January, 2024.

(N. J. JAMADAR, J.)

Vishal Parekar

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