

Omprakash Hanuman Modi vs The State Of Maharashtra on 25 September, 2023

Author: N. J. Jamadar

Bench: N. J. Jamadar

11-ABA-2682-23.DOC

Sayali Upasani

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2682 OF 2023

Omprakash Hanuman Modi	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Meghashyam Kocharekar, for Applicant.
Mr. M. G. Patil, APP for State.
Mr. Madake, PSI, Dadar Sagari Police Station, Present.

CORAM:- N. J. JAMADAR, J.
DATED:- 25th SEPTEMBER, 2023

P.C.:-

- 1) Heard the learned counsel for the applicant and the learned APP for the State.
- 2) This is an application for pre-arrest bail in connection with C.R. No. 91 of 2023, registered with Dadar Sagari police station, for the offences punishable under Sections 188, 272, 273, 328 read with Section 34 of Indian Penal Code, 1860 ("the Penal Code") and Sections 26(1), 26(2)(i), 26(2)(iv), 27(3)(d), 27(3) (e), 30(2)(a) and 59 of Food Safety and Standard Act, 2006.

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3) The applicant is alleged to be the supplier of the contraband article - Gutkha Pan Masala, which was found in possession of the co-accused, who has named the applicant as the supplier.

4) In the matters of identical nature, this court has granted interim protection and posted the matters on 3rd October, 2023.

5) Hence, the following order:-

ORDER

I) In the event of arrest of the applicant in connection with C.R. No. 91 of 2023, registered with Dadar Sagari police station, for the offences punishable under Sections 188, 272, 273, 328 read with Section 34 of Indian Penal Code, 1860 and Sections 26(1), 26(2)(i), 26(2)(iv), 27(3)(d), 27(3) (e), 30(2)(a) and 59 of Food Safety and Standard Act, 2006, the applicant be released on bail on executing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount. II) The applicant shall co-operate with the investigation and attend Dadar Sagari Police Station on 29th September, 2023 and 30th September, 2023 in between 10.00 am to 1.00 pm. 11-ABA-2682-23.DOC III) The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to the first informant and any of the persons acquainted with the facts of the case.

IV) The applicant shall not indulge in the identical activity for which he has been arranged in this case.

V) Stand over to 3rd October, 2023.

[N. J. JAMADAR,

Signed by: Sayali D Upasani

Designation: PA To Honourable Judge Date: 26/09/2023 10:56:04