

Baswaraj Vishwanath Agre vs The State Of Maharashtra on 3 March, 2022

Author: Vibha Kankanwadi

Bench: Vibha Kankanwadi

902-ABA-154

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1546 OF 2021

Baswaraj Vishwanath Agre
Versus
The State of Maharashtra

... Applicant

... Respondent

...

Mr. Vikrant S. Valse h/f. Mr. Tukaram M.Venjane, Advocate for Applicant.
Mr. B. V. Virdhe, APP for Respondent-State.

CORAM : SMT. VIBHA KANKANWADI, J.

DATED : 3rd MARCH, 2022.

PER COURT :

1. Heard learned Advocate appearing for the applicant.
2. Learned APP strongly opposes the application for grant of any interim relief taking into consideration the sections under which the offence is registered.
3. Perusal of F.I.R. would show that it has been lodged by Food Safety Officer on 18.08.2021, which has a reference of the letter by Aurad Shahajani Police Station, Dist. Latur dated 17.08.2021, in which it was informed that, they had taken banned articles from the possession of the applicant on 15.08.2021. If the police had gone to the spot and seized the articles from the custody of the applicant, what prevented the police from arresting the applicant is the question, and therefore, this Court is constrained 902-ABA-1546-2021.odt to grant interim protection to the applicant in order to seek explanation from the Investigating Officer P.I. S.A. Kamat of Aurad Shahajani Police Station.

4. Issue notice to the respondent, returnable on 17th March, 2022. Learned A.P.P. waives notice for the respondent - State.

5. In the meantime, in the event of arrest of the applicant in connection with Crime No.154 of 2021 registered with Aurad Shahajani Police Station, District Latur for the offences punishable under Sections 328, 272, 273 and 188 of Indian Penal Code and Sections 59(2)(i)(ii)(iv), 30(2)(a) and 59 of the Food Safety and Standards Act, 2006, he be released on P.R. Bond of Rs. 30,000/- with two sureties of Rs. 15,000/- each.

6. Applicant shall attend Aurad Shahajani Police Station, Dist. Latur on every Friday between 10.00 a.m. to 2.00 p.m. till further orders and cooperate with the investigation.

7. He shall not tamper with the evidence of the prosecution in any manner.

8. Respondent to file affidavit of P.I. S. A. Kamat, as to why he had not arrested the applicant on 15.08.2021 and also to produce copies of the documents about seizure of the articles by him.

Affidavit to be filed on or before 16.03.2022 by giving a copy of the same to other side in advance.

(SMT. VIBHA KANKANWADI, J.) Tandale/-