

# Mohammed Gaus Ismail Mohammed vs The State Of Maharashtra on 20 October, 2022

**Author: N.R. Borkar**

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## IN THE HIGH COURT OF JUDICATURE AT BOMBAY CRIMINAL APPELLATE JURISDICTION

### ANTICIPATORY BAIL APPLICATION NO. 2964 OF 2022

Mohammed Gaus Ismail Mohammed	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Veerdhaval Kakade for the Applicant.  
Mr. A. R. Kapadnis, APP for the State.

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CORAM : N.R. BORKAR, J.  
DATED : 20th OCTOBER, 2022.

P.C. :-

1. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail.

2. The applicant is apprehending his arrest in Crime No.368 of 2022 registered at Solapur Police Station, Solapur Rural for the offences punishable under Sections 328, 188, 272, 273 of the Indian Penal Code and under Sections 26(2)(i), 26(2)(iv), 27(3)(e), 59 of the Food Safety and Standard Act, 2006.

3. The learned APP seeks time to verify criminal antecedents of the present applicant.

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4. The learned counsel for the applicant submits that the applicant is the owner of the truck and he has nothing to do with the seized tobacco products as the truck was given on hire to transporter. He further submits that nothing is to be recovered at the instance of the applicant and hence there is no need of custodial interrogation of the applicant.

5. Considering the above facts and as the learned APP is seeking time, I am inclined to grant interim anticipatory bail to the applicant till the next date of hearing.

ORDER

(i) In the event of arrest of applicant-Mohammed Gaus Ismail Mohammed in connection with Crime No.368 of 2022 registered at Solapur Police Station, Solapur Rural for the offences punishable under Sections 328, 188, 272, 273 of the Indian Penal Code and under Sections 26(2)(i), 26(2)(iv), 27(3)(e), 59 of the Food Safety and Standard Act, 2006, he shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- (Rs. Twenty Five Thousand only) with one or two sureties in the like amount.

6. List the application for further consideration on 15 November, 2022.

( N.R. BORKAR, J. )