

Najmoddin Mohamadsab Ansari vs The State Of Maharashtra on 12 April, 2023

Author: S. G. Mehare

Bench: S. G. Mehare

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933-BA-590-23.odt

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.590 OF 2023

NAJMODDIN MOHAMADSAB ANSARI
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Vivekanand B. Deshmukh
APP for Respondent : Mr. S. B. Narwade

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CORAM : S. G. MEHARE, J.

DATE : 12-04-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for respondent/State.

2. The applicant is seeking bail in C.R.No.103 of 2023 registered with Police Station, Naldurg, District Osmanabad, for the offence punishable under Sections 188, 328, 272, 273 of the Indian Penal Code and Sections 26(2)(i), 27(2)(e), 30(2)(a), 59 of the Food Safety and Standards Act, 2006 read with Rules 2, 3, 4 of the Regulation, 2011.

3. It is case of gutka. Section 328 of the Indian Penal Code would attract or not in the cases of gutka (scented tobacco) is seized with the Honourable Supreme Court. The Honourable Supreme Court granted bail to the accused seizing in such cases. Except Section 328 of the Indian Penal Code, the other Sections 2 933-BA-590-23.odt areailable. In view of that matter, the applicant deserve bail. Hence, the following order :-

i) Application is allowed.

ii) Applicant Najmoddin Mohamadsab Ansari be released on

bail, on furnishing PB and SB of Rs.50,000/- with one solvent surety of the like amount, in Crime mentioned above, on the conditions that;

(a) He shall attend the police station as and when called by the Investigating Officer on written notice till filing chargesheet.

(b) He shall attend the court on each and every effective date.

(c) He shall not contact other co-accused till the conclusion of the trial.

(S. G. MEHARE) JUDGE rrd