

Santosh Vishnu Relekar vs The State Of Maharashtra on 21 February, 2022

Author: C.V. Bhadang

Bench: C.V. Bhadang

19-aba-461-2022

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.461 OF 2022

Santosh Vishnu Relekar ...Applicant
Vs.
The State of Maharashtra ... Respondent

Mr.Prioyal G. Sarda for the Applicant.
Mr.A.R. Kapadnis, APP for the Respondent-State.

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CORAM : C.V. BHADANG, J.

DATE : 21 FEBRUARY 2022

P.C.

. The Applicant, apprehending arrest, in connection with the investigation of Crime No.15 of 2022 registered with Vairag Police Station, under Section 188,272, 273 and 328 of the Indian Penal Code and 26(2)(i), 26(2)(iv), 27(3)(e) and 59 of the Food and Safety and Standards Act, 2006 is seeking anticipatory bail.

2. The aforesaid crime is registered on the basis of t complaint lodged by Ms.Pradnya Surase, Addit Commissioner of Food and Drugs Department, Solapur. The allegations is that in a raid conducted in the agricultural field of

the Applicant Panmasala/Guthka which is banned has been recovered.

N.S. Kamble

19-aba-461-2022

3. The learned counsel for the Applicant states that Section 328 of the IPC is only non-bailable Section and all other Sections are bailable.

4. It is submitted that the issue of the applicability of section 328 of Indian Penal Code in such cases is pending before the Supreme Court in a batch of petitions, in which interim protection has been granted by the Supreme Court.

5. The learned Additional Public Prosecutor seeks time.

6. Hence following order.
ORDER

(i) In the event of his arrest in connection with investigation of Crime No.15 of 2022 registered with Vairag Police Station, the applicant shall be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The applicant shall report to the Investigating Officer on 28 February 2022 and 1 March 2022 between 11.00 am to 1.00 p.m. and as and when called by the investigating officer and shall co-operate with the Investigating Agency.

N.S. Kamble

19-aba-461-2022

page 2 of 3

(iii) In the event of breach of any of the conditions the interim protection is liable to be vacated.

(iv) This order shall remain enforce till the next date.

(v) Stand over to 14 March 2022.

C.V. BHADANG, J.

N.S. Kamble

page 3 of 3