

Sachin Virendra Gupta vs The Superintendent Of Police And Others on 22 May, 2024

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
922 ANTICIPATORY BAIL APPLICATION NO. 847 OF 2024

SACHIN VIRENDRA GUPTA
VERSUS
THE SUPERINTENDENT OF POLICE AND OTHERS

...
Advocate for Applicant : Mr. Borulkar Avinash R.
APP for Respondent/State : Mr.R.D. Raut
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CORAM : SANJAY A. DESHMUKH, J.
(VACATION COURT)
DATED : 22nd MAY, 2024.

PER COURT :-

1 This is an application under Section 438 of the Criminal Procedure Code, seeking anticipatory bail in connection with Crime No.181 of 2024 registered with Ambad Police Station, Dist. Jalna, for the offences punishable under sections 188, 273, 328 r/w 34 of the Indian Penal Code and section 59 of the Food Safety and Standard Act.

2. The learned advocate for the applicant pointed out the the report lodged against the applicant and co-accused. It is averred in the report that the applicant along with the driver Shaikh Soheb Shaikh Vazir were proceeding with prohibited Gutka of Rs.3,34,220/-.

3. The learned advocate for the applicant submits that the applicant was not owner of the alleged Innova Car. He was not there in the Car. However, his name is mentioned in the report falsely. He

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submitted to grant ad-interim protection of pre-arrest bail.

4. Perused the report and the order passed by the trial Court.

5. Considering the peculiar set of fact that the applicant was not found on the spot, it would be proper to grant interim protection of pre-arrest bail to the applicant. Hence the following order :-

ORDER

I. Issue notice to the respondents, returnable on 14 th June, 2024.

The learned APP waives notice for respondent/State.

II. Till next date, in the event of arrest of applicant in connection with Crime No.181 of 2024 registered with Ambad Police Station, Dist. Jalna, for the offences punishable under sections 188, 273, 328 r/w 34 of the Indian Penal Code and section 59 of the Food Safety and Standard Act, the applicant be released on ad-interim anticipatory bail on furnishing personal bond of Rs.25,000/- with surety of the like amount on the condition that the applicant shall not tamper with the prosecution evidence in any manner and co-operate with the investigating agency. The applicant shall attend the concerned police station twice in a week.

(SANJAY A. DESHMUKH, J.) sga/