

Harishankar Rampravesh Singh vs State Of Maharashtra on 7 June, 2024

P.H. Jayani

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1518 OF 2024

Harishankar Rampravesh Singh

.... Applicant

V/s.

The State of Maharashtra

.... Respondent

Mr. Nehal Desale for the Applicant.

Mr. Mayur Sonavane, APP for the State.

Ms. Sneha Solanke, PSI, Uttan Sagari Police Station, present.

CORAM: SHYAM C. CHANDAK, J.

DATED : 07th JUNE, 2024. P.C. :-

1) The Applicant is apprehending his arrest in F.I.R. bearing Crime No.22/2021, under Sections 328 read with 34 of the Indian Penal Code and Sections 4 and 58 of The Food Safety and Standards Act, 2006 registered with Uttan Sagari Police Station, Mira-Bhayandar, Vasai Virar Police Commissionerate on 29/01/2021.

2) Heard Mr. Desale, learned Advocate for the Applicant and Mr. Sonavane, learned APP for the State. Perused the investigation material produced by the Investigating Officer through the learned APP.

3) Learned Advocate for the Applicant submitted that, neither the Applicant is figured in the FIR nor the investigating material transpired his role in the alleged crime. Thus, the Applicant is not directly or indirectly involved in the offence. Therefore, ad-interim protection may be granted to the Applicant.

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4) Learned APP submitted that, at the relevant time the main

accused namely Salman Idris Khan was found in possession of the contraband (gutkha). On inquiry, he disclosed that, it was procured by his brother/co-accused Naushad Khan from the present Applicant. As such, there is a prima facie case of a serious offence against the Applicant.

5) The offence is of the year 2021. Learned Advocate for the Applicant made a statement that, the arrest of the co-accused Naushad Khan was stayed by the Hon'ble Supreme Court in April, 2022 and produced the said Order dated 01st April, 2022. In so far as the statement given by the main accused Salman Idris Khan is concerned, he has not specifically stated that, Naushad Khan procured the contraband (gutkha) from the Applicant. The alleged contraband (gutkha) is already seized. In view thereof, the Applicant deserves interim bail on certain conditions.

Hence, the following order is passed :-

- (a) In the event of arrest of the Applicant - Harishankar Rampravesh Singh in F.I.R. bearing Crime No.22/2021 registered with Uttan Sagari Police Station, he shall be released on bail forthwith on his furnishing P.R. bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (b) The Applicant shall appear before the concerned Investigating Officer at Uttan Sagari Police Station for four P.H. Jayani 03 aba1518.2024.doc weeks on every Monday and Thursday between 11:00 a.m. to 04:00 p.m.
- (c) The Applicant shall not tamper with the prosecution evidence, in any manner.
- (d) The Applicant shall keep the concerned Investigating Officer informed of his current address and mobile number and/or change of residence or mobile details, if any, from time to time.
- (e) This Order shall remain in force till further order.

6) Stand over to 19th June, 2024.

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