

Mandar Rajendra Thosar vs State Of Maharashtra on 21 December, 2023

Author: N. J. Jamadar

Bench: N. J. Jamadar

1-aba-3385-202

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3385 OF 2022

Mandar Rajendra Thosar

...Applicant

vs.

The State of Maharashtra

...Respondent

Ms. Shabi Fatma i/b. Zeeshan Khan, for the Applicant

Mr. S.H. Yadav, APP, for the Respondent/State.

CORAM : N. J. JAMADAR, J.

DATE : DECEMBER 21, 2023

P.C. :

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. This application is preferred seeking pre-arrest bail in connection with C.R. No. 1417 of 2022 registered at Hadapsar police station for the offences punishable under sections 328, 272 and 273 of Indian penal Code, 1860 and sections 26(2)(i), 26(2)(iv), 3(1) (zz)(iv) and 59 of the Food Safety and Standards Act, 2006.
3. The applicant apprehends arrest in connection with the aforesaid crime as the co-accused in whose possession the contraband articles - Gutakha Pan masala, has been seized, has named the applicant as the person who supplied the contraband articles.
4. The learned Counsel for the applicant submit that the Vishal Parekar ...1 1-aba-3385-2022.doc applicability of Section 328 of IPC is debatable.
5. The learned APP seeks time to take instructions about the antecedents of the applicant.

6. In the meanwhile, in the event of the arrest of the applicants in connection with C.R.No. 1417 of 2022 registered with Hadapsar Police Station, the applicant be released on bail on furnishing a P.R. bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

7. The applicant shall co-operate with the investigation and report to the Hadapsar Police Station on every Sunday in between 10.00 a.m. to 12.00 noon till the next date.

8. The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses or the persons acquainted with the facts of the case.

Stand over to 30th January, 2024.

(N. J. JAMADAR, J.)

Vishal Parekar

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