

Amit Rajaram Phase vs The State Of Maharashtra on 22 December, 2023

Author: N.J.Jamadar

Bench: N.J.Jamadar

913 aba 3609 of 2023.d

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3609 OF 2023

Amit Rajaram Phase	...	Applicant
versus		
The State of Maharashtra	...	Respondent

Mr. Piyush Toshnival with Mr. Aniket Nikam i/by Mr. Amit Icham, for Applicant.
Smt. A.A.Takalkar, APP for State.

CORAM: N.J.JAMADAR, J.

DATE : 21 DECEMBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.156 of 2023 registered with Kundal Police Station for the offences punishable under Sections 188, 272, 273, 328, read with Section 34 of Indian Penal Code and Section 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 alleged supplier of the contraband articles.
4. In identical matters, this Court has granted interim relief and posted the matters for consideration on 30 January 2024 as the question of applicability of Section 328 of the Penal Code in a case of the present nature awaits decision of the 913 aba 3609 of 2023.doc Supreme Court.
5. In view of the above, in the event of arrest of the applicant in CR No.156 of 2023, registered with Kundal Police Station, the applicant be released on bail on furnishing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

6. The applicant shall cooperate with the investigation and report to the Investigating Officer as and when directed.

7. The applicant shall not tamper with the prosecution evidence and give threat or inducement to the first informant and any person acquainted with the facts of the case.

8. Stand over to 30 January 2024.

(N.J.JAMADAR, J.) Signed by: S.S.Phadke Designation: PS To Honourable Judge Date: 22/12/2023 20:02:36