

Kumar Ramakant Bhoir @ Kalpesh vs State Of Maharashtra on 8 February, 2023

Author: M. S. Karnik

Bench: M. S. Karnik

Diksha Rane

911. ABA 383-23.doc

DIKSHA
DINESH
RANE
Digitally signed by
DIKSHA DINESH
RANE
Date: 2023.02.09
20:42:49 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.383/2023

KUMAR RAMAKANT BHOIR @ KALPESH ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Kusum Pandey a/w. Adv. Pragati Mishra for the
applicant.
Ms. A. A. Takalkar, APP for State.
PSI G. R. More, Waliv Police Station.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 8, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned APP.

2. This is an application for pre-arrest bail in respect of First Information Report (FIR) No.I-14/2023 registered with the Waliv Police Station, under Sections 328 of the Indian Penal Code, 1860 (hereafter "the IPC", for short) read with Section 26(2), 4, 30(2)(a) of the Food Safety and Standards Act, 2006.

3. It is alleged that one Innova car was loaded with 'gutkha' worth Rs.19,82,560/- was seized from the arrested Diksha Rane 911. ABA 383-23.doc accused Tanmay Gharat. During the course of the investigation, the arrested accused revealed that the prohibited goods belong to the present applicant and that they have been purchased from other co-accused-Jignesh Shah.

4. My attention is invited to the order dated February 6, 2023 passed by the Hon'ble Supreme Court in the case of Parvez Ansari & anr. vs. The State of Maharashtra. I am informed that the issue as regards the interpretation of Section 328 of the IPC is pending before the Hon'ble Supreme Court.

5. The applicant to co-operate with the investigation. Let the applicant to report to the investigating officer on 13th, 14th and 15th February, 2023, between 11.00 a.m. and 1.00 p.m. and thereafter, as and when called.

6. No coercive steps be taken against the applicant till next date.

7. Stand over to February 21, 2023.

(M. S. KARNIK, J.) 1 Petition(s) for Spl. Leave to Appeal (Crl.) No (s).1221/2023.