

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO. 2768 OF 2015.

RAVI S/O NARAYAN GENTEWAR
VERSUS
THE STATE OF MAHARASHTRA

Appearance =>

Mr. Gajanan G. Kadam, Advocate for the Applicant.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 30th June, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of regular bail in connection with CR No.12/2015 registered with Police Station, Bhokar, District – Nanded for the offences punishable under Section/s 3 and 7 of the Essential Commodities Act, 1955.

[2] Heard Mr. Gajanan G. Kadam, learned counsel for the Applicant and Mrs. Pratibha Bharad, learned Additional Public Prosecutor for the State of Maharashtra. Mr. G.G. Kadam, learned counsel submitted that as per order dated 30th June, 2015 Applicant has surrendered before the court below. Statement is accepted.

[3] First Information Report is lodged by Naib Tahasildar – Pravin Nandkumar Rushi on 22nd April, 2015. According to the First Information Report, auto-rickshaw which was plied by present Applicant was intercepted by the raiding party, in which, wheat and rice, meant for poor, for selling purpose, was found.

[4] According to Mr. Gajanan G. Kadam, learned counsel, present Applicant at the relevant time, was the driver of said auto-rickshaw and said commodity was loaded in his auto-rickshaw by Balaji, who runs fair price shop, which is standing in the name of his wife.

[5] Looking to the role of the present Applicant that, at the relevant time, he was found while transporting the commodities in his auto-rickshaw and looking to the fact that he is in jail since 22nd April, 2015 (who was released on temporary bail to attend the funeral of his father) his further custodial presence in jail, not warranted. That leads me to pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) Applicant - RAVI S/O NARAYAN GENTEWAR shall be released on regular bail on he executing P.R. Bond of Rs. 5,000/- [Rs. Five Thousand] with one solvent surety in the like amount, in connection with CR No.12/2015 registered with Police Station, Bhokar, District – Nanded

for the offences punishable under Section/s 3 and 7 of the Essential Commodities Act, 1955.

(iii) Bail before trial court.

(iv) With this Criminal Application is allowed and same is disposed of, accordingly.

(V.M. DESHPANDE, J.)