

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.506 OF 2015**

Shri Baban Rajjak Sayyed
Versus
The State of Maharashtra

....Applicant.

...Respondent.

Mr. Kuldeep S. Patil i/by Prashant S. Hagare, advocates for the Applicant.
Ms. Veena Shinde, APP for the respondent-State.

CORAM : MRS. MRIDULA BHATKAR, J.

DATED : June 9, 2015.

P.C.:

In the present case, non bailable section is only Section 328 of the IPC and the other sections are bailable in view of the judgment of this Court in **Raju Laxman Pachhapure v/s. State of Maharashtra** reported in **2015(1) LJ Soft 4**. In that judgment, this Court has taken a view that Section 328 can not be attracted to a person manufacturing or selling Gutkha or any other tobacco items and, therefore, no order is required to be passed. However, the applicant-accused may go before the Sessions Court.

2 In view of this earlier order granting interim protection is hereby confirmed with the same bail bonds and sureties with modification that the applicant-accused need not attend the concerned police station on every Monday but shall attend the police station as and when called till filing of the charge-sheet.

3 Application stands disposed of.

(MRS.MRIDULA BHATKAR, J.)