

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1271 OF 2015

1.Shri Vishwambhar Nath Bhagat
2.Shri Anirudh Bhagat
3.Shri Vishnu Gopal Rajgarhia ...Applicants

V/s.

The State of Maharashtra ...Respondents.

Mr. P. A. Pol i/b Pol Legal Juris for the Applicant.
Mrs. Sharmila Kaushik APP for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.
DATED : 27th AUGUST, 2015.

P.C.

1. Heard learned counsel for the applicants and the learned APP for the State.

2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. II-57/2014 registered with the Narpoli Police Station for the alleged offences punishable under sections 3, 7, 8 and 10 of the Essential Commodities Act and provisions under the Maharashtra Scheduled Commodities Whole-Sale Dealers Licensing Order, 1998.

3. The applicants are the Directors of M/s. B. P. Oil Mill Ltd., The complaint has been lodged by Satish Tukaram Dhumal, Inspector of Rationing, Ration office No.37-F-Bhiwandi. According to the complainant a raid was conducted in the said Company and in the raid

excess stock of edible oil was found. It is therefore alleged that the applicants had committed the alleged offence by indulging in illegal activities.

4. The learned counsel for the applicant submitted that the applicants had filed Criminal Writ Petition No.159/2015 seeking quashing of the FIR. He submitted that a Division Bench of this Court vide order dated 30/4/2015 passed in Criminal Writ Petition No.159/2015 had passed an interim order that no chargesheet will be filed in respect of the subject matter of the present petition. He submitted that the applicant No.2 had attended the concerned police station.

5. Considering the fact that all documents have been seized in the raid and are in the possession of the concerned authority, custodial interrogation of the applicant is not required. Accordingly, the applicants are granted anticipatory bail on the following terms and conditions:

ORDER

(i) In the event of arrest, the applicants be enlarged on bail on furnishing P. R. Bond in the sum of Rs.15,000/- each with one or two sureties in the like amount.

(ii) The applicants shall not tamper or attempt to influence the complainant or any persons concerned with the case.

6. The Application is allowed and disposed of in above terms.

7. It is made clear, that the observations made herein are

confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

8. Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)