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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1527 OF 2015**

Dinesh Rajesh Gupta

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Praveen L. Singh for the Applicant

Ms. Veera Shinde, A.P.P for the Respondent-State

API – S.G.Taywade, Shrinagar Police Station, Thane City.

CORAM : REVATI MOHITE DERE, J.

DATED : 23rd OCTOBER , 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. II-59 of 2015 registered with the Shrinagar Police Station, for the alleged offences punishable under Sections 3, 7 and 8 (2) of the Essential Commodities Act.

3. Learned Counsel for the applicant states that the applicant is neither the owner of the premises, who is alleged to have misappropriated

food grains and kerosene, nor is the license holder. He states that the owner is one Smt. Usha Bhavanji Dedhia. He submits that the applicant is only a labourer who was present at the shop, when the raid was conducted.

4. Learned APP has verified whether the applicant was concerned with the shop. She states on the instructions of the Investigating Officer, who is present in Court, that the applicant was only working in the said shop and is neither the owner nor the license holder.

5. Considering the nature of allegations, the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount ;

(ii) The applicant shall attend the concerned Police Station on every Saturday between 10.00 a.m. to 11.00 a.m., till the filing of the charge-sheet ;

(iii) The applicant shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case.

(iv) The applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.