IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

A.B.APPLICATION NO.1528 OF 2015

Laljigila Rahunath Chaudhari ..Applicant
-*Versus*-
The State of Maharashtra ..Respondent

Mr. P.L.Singh for applicant
Ms. P.P.Shinde, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 14th December 2015.

P.C.

1] Applicant is seeking pre-arrest bail in C.R.No.II-58 of 2015 registered with Srinagar Police station under sections 3, 7 and 8(2) of the Essential Commodities Act, 1955. It is the case of the prosecution that the Assistant Rationing Officer (Inspection) conducted raid on the ration shop of M/s.Jai Jawan Coop. Society Ltd. aty Kisan Nagar, Wagle Estate, Thane and found certain irregularities. At the time of raid the concerned Agency also found that 45 kilograns of Rice and 69 kilograms of wheat prescribed under the National Food Safety Scheme was less than the stock register. In these circumstances, the F.I.R. was lodged. The

learned Counsel for the applicant submitted that he is mere employee of the said Jai Jawan Coop.Society and has no concern with the maintenance of the stock register. He submitted that he is only a paid servant off the said consumer society and was working as a helper in the said shop.

2] It is to be noted here that one other labourer/ worker who is also an accused in C.R.No.II-59 of 2015 registered with Shrinagar Police Station under the provisions of Essential Commidities Act. This Court (Smt. Revati Mohite Dere, J) by an order dated 23rd October 2015 allowed the anticipatory bail application of the applicant therein on the ground that the applicant was a servant and was only working in the said shop. That he was not the licnece holder. The facts and circumstances mentioned in the order dated 23rd October 2015 are same and similar as in the present case. Even para 6 of the affidavit in reply by the I.O. dated 3rd December 2015 mentions about the said fact that the applicant was an employee with the said consumer society.

3] After taking into consideration the nature of the allegations as

stated hereinabove, the applicant is granted pre-arrest bail on the following terms and conditions:-

(I) In the event of arrest in connection with C.R.No.II-58 of 2015 registered with Shrinagar Police Station, Thane, the applicant shall be released on bail on his furnishing P.R.Bond of Rs.10,000/- with one or two sureties in the like amount.

(ii) The applicant shall attend concerned police station as and when called for between 10.00 a.m. and 12.00 noon for the purpose of investigation.

(iii) It is needless to mention here that the I.O. before calling the applicant shall issue a notice as contemplated under section 160 of Criminal Procedure Code;

(iv) The applicant shall not tamper with and/or influence the prosecution witnesses;

(v) Application is disposed of in the aforesaid terms;

(A.S.GADKARI, J)