

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR.****CRIMINAL APPLICATION (ABA) NO.467/2015**

(Vitthal Shankar Wankhede..vs.State of Maharashtra, thr. PSO P.S.Dongaon, Tq.Mehkar)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. F. T. Mirza, Advocate for applicant.

Mr. R. S. Nayak, A.P.P. for non applicant.

CORAM : V. M. DESHPANDE, J.

DATE : SEPTEMBER 29, 2015.

By the present application, the applicant is seeking relief of prearrest bail since he is apprehending his arrest in connection with Crime No. 3014/2015 registered with Police Station, Dongaon, Dist. Buldana for an offence punishable under Sections 3 and 7 of the Essential Commodities Act.

Heard Mr. F.T. Mirza, Advocate for applicant and Mr.R.S.Nayak, A.P.P. for non applicant.

According to the FIR, the applicant is cousin of Digambar Rodji Wankhede, who is running a fair price shop since he is having said authorisation in his favour from the State Government. The FIR is lodged by Mr. Satish Kale, who is the Inspecting Officer and working in the Tahsil office of Mehkar. The accusation against the present applicant in the FIR is that the applicant has kept excess stock of the commodities with an intention to sell at higher price.

It is reported that the said stock is already seized by the authorities from the food department. It is further to be noted that all the documents are

already seized and are in custody of the Investigating Officer. In that view of the matter, the custodial presence of the present applicant is not at all necessary and interest of the prosecution can be taken care of by directing the applicant to attend Police Station. Hence, following order is passed.

ORDER

(i) Criminal Application No.467/2015 is allowed.

(ii) The applicant-Vitthal Shankar Wankhede, in the event of his arrest in Crime No.3014/2015 for an offence punishable under Section 3 and 7 of the Essential Commodities Act registered with Police Station Dongaon, Dist. Buldana be released on bail on he executing P.R. Bond in the sum of Rs.25,000/- with one surety in the like amount.

(iii) The applicant is directed to attend Police Station, Dongaon on 06.10.2015. He shall be with the Investigating officer from 11.00 a.m. to 5.00 p.m. subsequently, the applicant attend the Police Station as and when required by the Investigating Officer, however, for that the Investigating Officer shall give clear cut 24 hours written communication to the applicant.

JUDGE