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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2495 OF 2017

BALAJI GOROBA THORAT AND ANOTHER.
VERSUS
THE STATE OF MAHARASHTRA.

WITH
CRIMINAL APPLICATION NO.2444 OF 2017

SAKHARBAI RAMA KALE.
VERSUS
THE STATE OF MAHARASHTRA.

...
Advocate for Applicants : Shri Dhorde Vikram R. and Shri Tekale Nikhil S.
APP for Respondents: Y.G.Gujrathi.
...

**CORAM: SANGITRAO S. PATIL, J.
(VACATION COURT)**

DATE :- 30th May, 2017

Per Court:

1 Heard the learned counsel for the Applicants and the learned
APP.

2 The Applicants have been arrested and detained w.e.f.
01.04.2017 and 03.04.2017, respectively, in respect of the offence under
Section 3, punishable under Section 7, of the Essential Commodities Act.
The diesel, which was allegedly in unauthorized possession of the accused
persons, has already been seized. Nothing has remained to be recovered

from the possession of the Applicants. The offence against the Applicants is triable by the Judicial Magistrate First Class. Maximum punishment is seven years. Even there is no mention in the First Information Report about any controlling order of which there has been breach on the part of the Applicants constituting the offence under Section 3 of the Essential Commodities Act.

3 In the circumstances, I do not find any impediment in releasing the Applicants on bail. Hence, the following order:-

ORDER

(a) The Applicants be released on bail in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each with one surety in the like amount on the condition that they shall not tamper with the prosecution evidence in any manner.

(b) The Criminal Applications are, accordingly, disposed of.

(SANGITRAO S. PATIL, J.)