

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 466 OF 2017**

Arjun Maheshkumar Ramsinghani

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Bhalchandra R. Patil for the Applicant

Mr. Rajan Salvi, A.P.P for the Respondent-State

PSI Mr. G. B. Bua from Killa Police Station, Malegaon, is present.

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 4th APRIL, 2017

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 his enlargement on bail in connection with C.R. No. I-75 of 2016 registered with Killa Police Station, Malegaon, for the alleged offences punishable under Section 420 of the Indian Penal Code and Sections 18(A), (6), 18(B), 27(D), 28 and 28(A) of Drugs and Cosmetics Act.

3. Learned Counsel for the applicant submits that the applicant was a distributor of surgical items and would supply the surgical items/instruments to several medical stores including M/s. Star Medical Agency. He submitted that according to the complainant, certain medicines, which could not be sold without prescription, were found in the Medical Store i.e. M/s. Star Medical Agency, of which, the accused No. 1 Shoaib Khalil Ahmed was the owner. As Shoaib could not produce purchase bills of the said medicines, which could not be sold without prescription, the said medicines came to be confiscated by the complainant. The said medicines were valued at about Rs. 14,955/-.

4. Learned A.P.P is unable to show that it is the applicant who had supplied the said medicines to M/s. Star Medical Agency or its owner Shoaib Khalil Ahmed.

5. Perused the papers. The applicant is doing the business of supplying surgical instruments to several medical stores and had on two or three occasions, supplied surgical instruments to M/s. Star Medical Agency.

In the inspection of the said medical shop i.e. M/s. Star Medical Agency, certain medicines were found and the owner of the said medical store-Shoaib could not produce purchase bills. The said medicines which were found were such that the same could not have been sold without the prescription. Accordingly, a complaint was lodged as against the owner of the said shop and others.

6. Learned A.P.P is unable to show that it was the applicant who had supplied the said medicines to Shoaib, the owner of M/s. Star Medical Agency. The applicant has been in custody since 10th January, 2016. Investigation in the said case is almost over. Accordingly, the application is allowed. The applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;
- (ii) 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;

(iii) The applicant to cooperate with the conduct of the trial;

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

8. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

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

REVATI MOHITE DERE, J.