

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRI. APPLICATION (ABA) NO. 476 OF 2017

(ABDUL RAFIQUE ABDUL REHMAN...VS.. STATE OF MAH. THR. P.S.O. CHIKHALI, BULDANA)

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

Court's or Judge's orders

Ms Sangeeta Jachak, Advocate for Applicant.
Shri Neeraj Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JULY 05, 2017.

Heard.

Apprehending arrest in connection with crime registered by the non-applicant for the offences punishable under Sections 3 and 7 of the Essential Commodities Act read with Section 34 of the Indian Penal Code, the applicant seeks pre-arrest bail.

The accusations against the applicant are that he is involved in illegal transportation of rice meant for distribution through Public Distribution System and instead of transporting the commodity to Amdapur, driver of the truck in which rice was being transported effected some interpolation in the transport pass and took the stock of commodity to Chikhali. The applicant is owner of the truck in question.

According to the applicant, the interpolation in the pass is made by the Godown Keeper and the truck driver was asked to take the stock of rice to Chikhali and accordingly

the truck driver went to Chikhali. According to the applicant, he was not aware about all these aspects. The applicant claims to be an agriculturist and in the business of transport and has stated that he is not involved in any other crime / offence. Co-accused Shabbirkhan (driver) is released on bail as per the order passed by the trial Court.

In the facts of the case, following order is passed:

In the event of arrest in connection with Crime No.326 of 2017, registered by the non-applicant, the applicant be released on bail on furnishing cash security of Rs.Fifty Thousand and one solvent surety in the like amount.

The application is **allowed** accordingly.

JUDGE

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