

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

CRIMINAL APPLICATION (ABA) NO. 485 OF 2017
(PANNALAL CHOKHELAL GUPTA...VS.. STATE OF MAH. THR. P.S.O. PS CHIKHLI,
DISTT.BULDHANA)

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

Court's or Judge's orders

Shri S. V. Sirpurkar, Advocate for Applicant.
Shri N. R. Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.
DATED : 7th JULY, 2017.

Heard.

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

The accusations against the applicant are that he is granted contract of transporting the goods to be distributed through the Public Distribution System and he has given contract to co-accused Abdul Rafiq (owner of the truck) to transport the goods and on 22nd June, 2017, truck owned by co-accused Abdul Rafiq driven by the co-accused Shabbirkhan was stopped near Chikhli and it was found that rice to be distributed through the Public Distribution System and which should have been transported to Amdapur was being transported to Chikhli.

According to the Investigating Agency, the entries in the pass given to the driver are interpolated.

The claim of the applicant is that he is not aware about the incident as he has given the contract to Abdul Rafiq (owner of the truck). It is submitted that co-accused Shabbirkhan is released on bail as per the order passed by the trial Court and other accused Abdul Rafiq is released on pre-arrest bail as per the order passed by this Court in Criminal Application (ABA) No.476 of 2017 on 5th July, 2017.

The applicant, aged about 60 years, claims to be a Transport Contractor and has stated that he is not involved in any other crime/offence.

Considering 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.50,000/- and one solvent surety in the like amount.

The application is **allowed** accordingly.

JUDGE