

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.1292 OF 2019

Mahesh Shamlal Nanvani

.... Applicant

versus

The State of Maharashtra

.... Respondent

.....

- Mr.Umesh Mankapure, Advocate for Applicant.
- Mrs.S.R. Agarkar, APP for the State/Respondent.
- PSI Mr.R.R. Salokhe, Sangli Rural Police Station present.

CORAM : SARANG V. KOTWAL, J.

DATE : 10th JUNE, 2019

P.C. :

1. The Applicant is seeking bail in connection with C.R.No.74/19 registered with Sangli Rural Police Station, under sections 188, 272, 273, 328 r/w 34 of the Indian Penal Code and sections 26(2), 26(2)(iv), 27 r/w 30(2)(A) of Food Safety and Standards Act, 2006.

2. The Applicant is arrested on 26/03/2019 and since then he is in custody. The FIR is lodged by Mr.Satish S. Hakke,

Food Inspector, Food and Drug Administration, Sangli. He has stated in his FIR that, on 25/03/2019, on prior information, the first informant and others searched a vehicle brought at the premises of Gajanan Transport at Village Budhgaon, Taluka Miraj, District Sangli. On their inspection they found that the truck contained various prohibited articles i.e. Pan Masala worth Rs.5,14,080/- and Tobacco worth Rs.1,52,600/-. The articles were seized. The FIR was lodged. Investigation revealed that the container was driven by one Nawab Shaukatali Taumar. It was dispatched by one Subhash Sharma, who was the owner of Mahalaxi Transport, Delhi and it was to be unloaded at Gajanan Transport at Sangli. After that the goods were to be given to the present Applicant. Based on this FIR, the present Applicant is arrested on 26/03/2019.

3. The FIR is lodged on 25/03/2019 and the Applicant is arrested on 26/03/2019. The Applicant is already in judicial custody. For more than two months he is in custody. The learned APP submits that there are antecedents of similar nature

against the Applicant. The investigation is almost over as mentioned by the learned APP. Therefore the Applicant's further custody is not necessary. The activities of the Applicant can be controlled by imposing suitable conditions.

4. In these circumstances, I am inclined to grant bail to the Applicant on certain conditions. Hence, the following order :

ORDER

- (i) The Applicant is directed to be released on bail in connection with C.R. No.74/19 registered with Sangli Rural Police Station, on his furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- (ii) The applicant shall attend Sangli Rural Police Station every Sunday between 03.00 to 05.00 p.m. for a period of six months.
- (iii) The Applicant shall not indulge in any other similar or other crime.

- (iv) If the Applicant is involved in any crime, that fact shall entitle the State of Maharashtra to apply for cancellation of bail.
- (v) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)