

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

ANTICIPATORY BAIL APPLICATION NO.1250 OF 2019

Vijay Bhimashankar Kurde Applicant
Versus
The State of Maharashtra Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.1252 OF 2019**

Nagnath Mohan Bhange Applicant.
Versus
The State of Maharashtra Respondent

- Mr. Veerdhaval Kakade for the Applicants in both ABA.
- Mr. S. H. Yadav, APP for the State/Respondent.
- Mr. Indrajeet S. Wardhan, API, Mohol p.stn. is present.

CORAM : SARANG V. KOTWAL, J.
DATE : 12th JUNE, 2019

P.C. :

1. In these applications common order is passed because the subject matter is the same C.R.No.279 of 2019 registered with Mohol police station U/s.188, 272, 273 and 328 r/w. 34 of the Indian Penal Code and U/s. 59 of Food Safety and Standards Act.
2. The FIR in this case is lodged by Food Safety Officer, attached to Food and Drug Administration, Solapur. In the FIR it is

mentioned that on prior information, the police carried out raid on 15/04/2019. During the raid they seized prohibited articles in the nature of Gutkha, Pan Masala and tobacco worth Rs.1,57,810/-. The applicant Nagnath Bhange in ABA No.1252 of 2019 was present at the place owned by him. On inquiry, he informed the police that he had given that particular tin shed to the applicant Vijay Kurde in ABA No.1250 of 2019. Thus, it appears that both the applicants are trying to shift onus on each other. However, at this stage, it is clear that prohibited articles were found at the place, to which, both these applicants had connection, either through ownership or through tenancy. Considering the nature of allegation, custodial interrogation of both these applicants is necessary as possession and sale of these articles are prohibited and it is necessary to curb their activities. In view of this, applications are rejected.

(SARANG V. KOTWAL, J.)