

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

BAIL APPLICATION NO.1643 OF 2019

Saurabh Sanjay Bafna

...Applicant

Vs.

State of Maharashtra

...Respondent

Mr. Sanjay Shinde, for the applicant.

Mr. S. R. Agarkar, for the State.

CORAM : SARANG V. KOTWAL, J.

DATE : JUNE 26, 2019

P.C.:

1. The applicant is seeking bail in connection with C.R. No. I-61/2019 registered with Pimpalgaon Police Station, Nashik under Section 328, 188, 272, 273 of IPC and Section 26(2)(iv) r/w. Section 27(3)(d), 27(3)(e), 30(2)(a), 3(1)(zz), 3(1)(zz)(v) of Food and Safety Standardisation Act, 2006.

2. The prosecution has commenced on the basis of FIR lodged by the Food Safety Officer attached to Food and Drug Administration, Nashik. The informant Nilesh Dhundale stated in the FIR that on 14/5/2019 he was informed by the Police Inspector that certain banned articles like pan masala, scented tobacco and betel nuts were seized from the possession of the present applicant. The value of those articles

was around Rs.35,000/-. On that basis, FIR was lodged and the applicant was arrested on 14/5/2019 itself.

3. Heard Mr. Sanjay Shinde, Ld. Counsel for the applicant and Mr. Agarkar, Ld. APP for the State.

4. Mr. Shinde, Ld. Counsel for the applicant submitted that the applicant is in custody since 14/5/2019. The investigation is almost over and there is no necessity of his further detention.

5. On the other hand, Ld. APP submitted that investigation in this case is almost over and the chargesheet will be filed shortly.

6. Considering the allegations in the FIR, at this stage, it is clear that applicant had in his possession banned substances in the nature of scented tobacco, betel nuts and pan masala etc. However, the investigation is almost over. The applicant is in custody since 15/5/2019. The applicant will ultimately face the trial and he can be convicted if found guilty. However, at this stage, the pre-trial detention of the applicant is not necessary since the investigation is almost over. However, to curb his activities of similar nature, certain conditions are

required to be imposed. Accordingly, the order.

ORDER

1. In connection with C.R. No.I-61/2019 registered with Pimpalgaon Police Station, Nashik the applicant is directed to be released on bail on his executing P.R. Bond of Rs.25,000/- with one or two sureties in the like amount.
2. The applicant is directed to attend Pimpalgaon Police Station on every Sunday between 3.00 p.m. to 5.00 p.m. for a period of 6 months.
3. The applicant shall not indulge in any similar activities in future directly or indirectly.
4. The application is disposed of.

(SARANG V. KOTWAL, J.)