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

CRIMINAL BAIL APPLICATION NO.1796 OF 2019

Riyaz Ahmed Sahabzad Chaudhari	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.S.M.Deshpande, for the Applicant.

Mr.A.A.Palkar, A.P.P for the Respondent - State.

CORAM : REVATI MOHITE DERE, J.

DATE : 4th JULY, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.105 of 2019 registered with the Kasa Police Station, Palghar, for the alleged offences punishable under Sections 328, 272, 273, 188 and 34 of the Indian Penal Code and under Sections 26(2)(iv), 30(2)(a) and 59 of Food Act 2006 and Rules 2011.
3. Perused the papers. According to the prosecution, the

applicant, who was driving a Mahindra Pick-up Car was apprehended on 4th June, 2019. In the car, the police seized Pan Masala worth Rs.10,58,800/-. It appears that the applicant is the driver as well as the owner of the said vehicle. The applicant is in custody since 4th June, 2019. The contraband is seized and the same is sent to the chemical analyst. *Prima facie*, it is doubtful whether an offence under Section 328 of the Indian Penal Code is disclosed in the facts of the present case.

4. Be that as it may, since the contraband is seized, further detention of the applicant is not necessary. Accordingly, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount;
- ii) The Applicant shall attend the concerned Police Station, on the first Monday of every month, between 10:00 a.m. to 11:00 a.m., till the filing of the charge sheet;

iii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;

iv) The Applicant shall co-operate in the conduct of the trial.

5. The Application is allowed and disposed of in above terms.

6. It is made clear, that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.