

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

26 ANTICIPATORY BAIL APPLICATION NO.136 OF 2020

1) Vasudeo s/o Gopalrao Katyarmal,
Age 57 years, Occ. Service,
R/o. C/o. Zuari Agro Chemicals Ltd.
at K-2/5 & K-2/6, Additional MIDC
Village Kalija, Tq. Mahad Dist.Raigadh,
Maharashtra – 402 302.

2) Sunil s/o Vikram Shetye,
Age 58 years, Occ. Service,
Serving as Managing Director,
R/o. C/o. Zuari Agro Chemicals Ltd.
At R/o. Jaikishan Bhavan,
Zuari Nagar, Goa.

...Applicants

Versus

The State of Maharashtra,
Through Sonpeth Police Station,
Tq. Sonpeth Dist. Parbhani

...Respondent

...

Advocate for Applicants : Mr. N.V. Maniyar, holding for Mr. Pravin N.
Kalani

APP for Respondent-State : Mr. VM. Kagne

...

WITH

ANTICIPATORY BAIL APPLICATION NO.135 OF 2020

Gajanand s/o Jayram Kewat,
Age 35 years, Occ. Service,
Serving as Assistant Manager,
R/o. C/o. Zuari Agro Chemicals Ltd.
at K-2/5 & K-2/6, Additional MIDC
Village Kalija, Tq. Mahad Dist.Raigadh,
Maharashtra – 402 302.

...Applicant

Versus

The State of Maharashtra,
Through Sonpeth Police Station,
Tq. Sonpeth Dist. Parbhani.

...Respondent

...
Advocate for Applicants : Mr. N.V. Maniyar, holding for Mr. Pravin N.
Kalani

APP for Respondent-State : Mr. V.M. Kagne

...
CORAM : MANGESH S. PATIL, J.
DATE : 01 MARCH 2021

PER COURT :

These are the applications under Section 438 of the Code of Criminal Procedure, as the applicants are apprehending their arrest in connection with Crime No.246/2019 registered with Sonpeth Police Station Dist.Parbhani for the offences punishable under Section 420 read with Section 34 of the Indian Penal Code, Section 7 and 10 read with Section 3 of the Essential Commodities Act and Section 12, 13(1) (a) and 19 2(h) of the Fertilizer Control Order 1985.

2. The learned APP on written instructions received from the Investigating Officer submits that the Investigating Officer has already submitted a "C" summary report on 29.02.2020, having concluded that the report was lodged due to some misunderstanding.

3. In view of such state of affairs, the applications are allowed. In the event of arrest of the applicants in connection with Crime No.0246/2019, registered with Sonpeth Police Station, District Parbhani, for the offences punishable under Section 420 read with Section 34 of the Indian Penal Code, Section 7 and 10 read with Section

3 of the Essential Commodities Act and Section 12, 13(1) (a) and 19 2(h) of the Fertilizer Control Order 1985, they shall be released on bail on their executing personal recognizance for an amount of Rs.15,000/- (Rupees fifteen thousand) each and furnishing a solvent surety in the like amount, each subject to following conditions :

- (a) They shall attend the concerned Police Station as and when called by the Investigating Officer and shall co-operate the Investigating Officer.
- (b) They shall not tamper the evidence or influence the witnesses.

(MANGESH S. PATIL, J.)

sarowar