

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1050 OF 2019

Lalit Mancharam Brahman

Applicant

versus

The State of Maharashtra

Respondent

Mr.Rajesh Singh for applicant.

Mr.Y.Y.Dabake, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 10th August 2021

PC :

1. This is an application for anticipatory bail in CR No.I-14 of 2019 registered with Kapurbawdi Police Station, Thane, for offences under Sections 420, 465, 467, 468, 471 r/w 34 of Indian Penal Code.

2. The case of prosecution is that the complainant has observed that some employees are working and operating pharmaceutical shops without pharmacist certificate. He also noticed that pharmacists were not having genuine certificates and they had obtained forged pharmacist certificates from other States.

3. Learned counsel for applicant has submitted that the applicant has co-operated with investigation. The applicant himself is a victim of circumstances. All the original certificates which were in possession of applicant were handed over to Investigating Officer. The applicant had attended Police Station.

4. Learned APP submitted that pharmaceutical business is being conducted on the basis of certificates of applicant obtained by him as

pharmacist. During investigation it was found that certificates were not genuine.

5. The applicant has filed an affidavit dated 8th August 2021. In the said affidavit it is stated that his father is the owner of medical store known as M/s.Vinayaka Medico and General Stores situated Vazira Naka, Boriwali (West). The medical license and food license issued by Municipal Corporation for Greater Mumbai as well as general stores for running the said stores, are in the name of his father. The applicant is not connected with medical stores. He is required to visit the shop as and when his father calls for any help. His father has appointed a pharmacist to run and administer medical stores. Under his supervision the applicant's father is conducting medical stores. The affidavit is taken on record.

6. Learned counsel for applicant, on instructions, submitted that original documents i.e. certificates, were submitted to the Investigating Officer. The applicant would not utilize the said certificates for any purpose.

7. In the light of aforesaid circumstances, the applicant need not be subjected to custodial interrogation. The applicant was granted interim protection vide order dated 2nd May 2019. He has co-operated with investigation. Hence, I pass following order :

ORDER

- (i) Anticipatory Bail Application is allowed and disposed of;
- (ii) Interim order dated 2nd May 2019 is confirmed;'
- (iii) In the event of arrest of applicant in connection with CR No.I-14 of 2019 registered with Kapurbawdi Police Station, Thane, the

applicant be released on bail on executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(iv) The applicant shall appear before Investigating Officer as and when called for till filing of charge sheet.

(PRAKASH D. NAIK, J.)

MST