

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1322 OF 2021**

Hemantsingh Vishwanathsingh Bhadoriya	... Applicant
V/s.	
The State of Maharashtra	... Respondent

Mr.Rajesh More, Advocate for Applicant.
Smt.Anamika Malhotra, A.PP. for Respondent-State.

CORAM : A.S. GADKARI, J.
DATE : 7th September, 2021.

PC. :

1. Heard Mr. More, learned counsel for the Applicant and Smt.Malhotra, learned A.PP. for the State. Perused record.
2. By a speaking Orders dated 4th June, 2021 and 25th June, 2021, the Applicant was granted interim relief.
3. Record indicates that, under the instructions from Ganpatsing Rajput, owner of Balaji Transport, the Applicant being his employee loaded the contraband in question, i.e. Vimal Masala, RMD Masala, Baba Tobacco, Eagle Tobacco and other prohibited commodity, in the truck at Ahemedabad, which was subsequently accosted by the police attached to Wanwadi Police Station, Pune (City), on the basis of confidential information received by them.

4. Learned counsel for the Applicant submitted that, the principal accused namely, Ganpatsing Rajput was arrested by the police and has now been released on regular bail.

5. As noted earlier, it appears from the record that, the Applicant was an employee of said Ganpatsing Rajput and except loading the said prohibited commodity in the truck at the godown of Balaji Transport at Ahmedabad, has no direct role to play in the present crime.

After perusing the record, this Court is of the view that, the custodial interrogation of the Applicant for further investigation of the present crime is not necessary.

6. Interim relief granted by Orders dated 4th June, 2021 and 25th June, 2021 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

7. Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]