

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

CRIMINAL BAIL APPLICATION NO. 3494 OF 2021

Kiran Rajkumar Mane ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. V. V. Purwant a/w Mr. Rushikesh Kale for the Applicant

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

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 14th OCTOBER 2021

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. 570/2021 registered with the Pandharpur Taluka Police Station, Solapur, for the alleged offences punishable under Sections 328, 188, 272, 273 of the Indian Penal Code and under Sections 26(2)(i), 26(2)(iv), 27(3)(e), 59 r/w 3(1)(zz)(iii) of Food Safety and Standards Act.

3 Perused the papers. According to the complainant-Bharath Bhosale, the Foods Safety Officer, Food and Drugs Department, Solapur,

on 8th September 2021, he along with the police staff, visited Shriman Paan Shop at Sargam Chowk, Pandharpur, Solapur. In the search that was carried out, *paan masala* and *supari* worth Rs. 2,739/- was seized. The applicant is stated to be the owner of the said Shriman Paan Shop.

4 Having regard to the facts, *prima facie*, it is doubtful whether an offence under Section 328 is disclosed *qua* the applicant. The applicant is in custody since 8th September 2021. In the facts, further detention of the applicant is not warranted.

5 Accordingly, the application is allowed and the applicant is enlarged on bail, on the following terms and conditions :

ORDER

(i) The applicant be released on cash bail in the sum of Rs. 10,000/-, for a period of six weeks;

(ii) The applicant shall within the said period of six weeks, furnish P.R. Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;

(iii) The applicant shall attend the concerned Police Station on the first Saturday of every month between 10:00 a.m. to 11:00 a.m, for a period of 12 months from the date of his release;

(iv) 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 Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

6 The application is accordingly disposed of in the aforesaid terms.

7 It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

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

REVATI MOHITE DERE, J.