

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Criminal Application (BA) No. 682 of 2021

[Niranjan S/o Wasudeo Band ..vs.. The State of Maharashtra through P.S.O. Patur, P.S. Patur,
Tq. Patur & Dist. Akola]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. A. Mohta, Advocate for the applicant
Mr. N. R. Rode, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 26-07-2021

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. The application is not on board. The application is taken on board, since Criminal Application (BA) 681/2021 moved by co-accused is listed today and the case diary is produced.

3. The applicant is in custody since 22-6-2021 in connection with Crime 408/2021 registered with Patur Police Station, Akola for the offences punishable under Sections 188, 272, 273 and 328 of the Indian Penal Code and Sections 30(2)(a), 3(1)(zz)(v), 26(2)(j), 26(2)(iv) and 59 of the Food Safety and Standards Act.

4. The allegation is that the applicant is the owner of pan shop and prohibited articles i.e. pan masala (combination of betel leaf and areca nut with or without tobacco) and scented tobacco worth ₹ 11,000/- was recovered from his premises.

5. The applicant is not involved in similar offences in the past. Considering the relatively small amount of prohibited articles i.e. pan masala (combination of betel leaf and areca nut with or without tobacco) and scented tobacco, there is no purpose in continuing with the incarceration. The application is allowed.

6. The applicant be released on bail on furnishing PR bond of ₹ 15,000/- (Rupees Fifteen Thousand) with solvent surety of like amount on following conditions.

(a) The applicant shall not tamper with the evidence or make any attempt to influence the witnesses, directly or indirectly.

(b) The applicant shall not leave the country without the permission of the jurisdictional Court.

7. The application is disposed of in the aforestated terms.

JUDGE

wasnik