

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

Criminal Application (BA) No. 1267 of 2021

(Abdul Sami Abdul Basid ..vs.. State of Maharashtra through P.S.O., P.S. Sakoli, Tal. Sakoli,
Dist. Bhandara)

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

Court's or Judge's orders

Mr. V. S. Mishra with Mr. Kabir Raj Jhamb, Advocates for the applicant
Mrs. K. R. Deshpande, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 18-12-2021

Heard.

2. The applicant is arraigned as accused 2 in Crime 506/2021 registered with Police Station, Sakoli, Taluka Sakoli, District Bhandara for offences punishable under Sections 328, 272, 273 and 188 read with Section 34 of the Indian Penal Code.

3. The case of the prosecution is that transport vehicle which was coming from the direction of Raipur was intercepted at Sakoli and prohibited scented tobacco worth Rs. 2,19,600/- (Rupees Two Lacs Nineteen Thousand Six Hundred) was found. The driver of the vehicle is granted bail by this Court on the premise that he may not be knowing about the nature of the goods.

4. In so far as the applicant is concerned, he is the son of the owner of the vehicle and his case is that he had gone to Raipur to purchase certain raw material and on the way back, the truck was hired by the absconding accused. The applicant like the driver claims to be unaware of the nature of the goods which are owned by accused 4. The father of the applicant is arraigned as accused 3 and a statement is made that he is granted ad-interim pre-arrest protection by this Court.

5. It is fairly stated by the learned Additional Public Prosecutor Mrs. Deshpande that as regards the applicant, there is nothing further to investigate. The applicant has no criminal antecedent and is not shown to be a flight risk. Considering the overall circumstances, I am inclined to grant bail.

6. The application is allowed subject to the following conditions.

(i) The applicant be released on bail on executing PR bond of Rs. 16,000/- (Rupees Sixteen Thousand) with solvent surety of the like amount.

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

(iii) The applicant shall not leave the country without the permission of the trial Court.

JUDGE

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