

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.796 OF 2022

Rajiv S/o. Navnath Vanave Applicant

Versus

The State of Maharashtra Respondent

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Mr. Narayan B. Narwade, Advocate for the Applicant

Mr. V.S. Badakh, APP for Respondents - State

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 05th December, 2022

ORDER :

1. The applicant apprehends his arrest in Crime No. 0118 of 2022 registered with Karmad Police Station, District Aurangabad, for the offences punishable under Sections 3 and 7 of the Essential commodities Act. The FIR is lodged by Police Sub Inspector, Local Crime Branch, Aurangabad Rural, wherein it is alleged that on secrete information they intercepted two containers, and the said containers were found carrying biodiesel. One of the containers is owned by the present applicant.

2. Heard the learned advocate for the applicant and the learned Additional Public Prosecutor for the respondent – State. Perused the investigation papers.

3. The FIR in the present crime is lodged in the months of April, 2022. So far 3 accused persons including drivers of the containers and owner of the another container are arrested. The learned advocate for the applicant submits that they are released on regular bail. The alleged bio diesel is also released in favour of the present applicant, so also the container.

4. Since the entire consignment and the container are released, custodial interrogation and / or detention of the applicant is not warranted in the facts of the present case.

5. The applicant was granted interim protection. He has attended the police station and co-operated in the investigation. In that view of the matter, the interim order is confirmed. The application is allowed.

6. Till filing of the charge sheet, the applicant shall attend the concerned police station as and when called by the investigating officer and co-operate in the investigation. The applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

S.P Rane