

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1126 OF 2022

SAYYED AAMER SAYYED KHAMAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. R. R. Shaikh
APP for Respondents : Mr. K. S. Patil
...

CORAM : S. G. MEHARE, J.

DATE : 14-09-2022

PER COURT :-

1. Heard the learned for the applicant and the learned A.P.P. for the respondents.
2. The facts have been discussed in detail in the order dated 25.08.2022. In view of the facts of the case and the issue as regards the applicability of Section 328 of the Indian Penal Code, in cases of Gutka, the prosecution has no case for custodial interrogation. Hence, the application deserves to be allowed.
 - i) The application is allowed.
 - ii) The *interim* protection granted to the applicant by order dated 25.08.2022 is confirmed on the same terms and conditions.

(S. G. MEHARE)
JUDGE