

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1239 OF 2022

GANESH BHIVSEN ZENDE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Rahul R. Karpe
APP for Respondent : Mr. K. S. Patil
...

CORAM : S. G. MEHARE, J.

DATE : 22-09-2022

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.

2. The facts have been discussed in detail in the order dated 15.09.2022. The allegations levelled against the applicant are that he was selling Gutka and Panmasala, which has been prohibited under the State of Maharashtra. The Honourable Supreme is seized with the issue as regards applicability of Section 328 of the Indian Penal Code in cases of Gutka. The applicants, who approached the Honourable Supreme Court, were granted protection. Considering the allegations levelled against the applicant, the applicant has a good case for anticipatory bail. Hence, the following order :-

- i) The application is allowed.
- ii) The interim protection granted to the applicant by the order dated 15.09.2022 is confirmed on the same terms and conditions.

(S. G. MEHARE)
JUDGE