

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1451 OF 2022**

Arman Ayub Khan	.. Applicant
Versus	
State of Maharashtra	.. Respondent

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Mr. Ravi Gupta for the Applicant.

Mr. S.V. Gavand, A.P.P. for the State.

Mr. Mahesh Manore, API, Uttan Sagari Police Station is present in the Court.

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**CORAM: BHARATI DANGRE, J.
DATED : 06th JUNE 2022**

P.C:-

1. The applicant is apprehending his arrest in CR No. 39 of 2022 registered with Uttan Sagari, Police Station which invoke Section 328 read with 34 IPC and the relevant provisions of Food Safety and Standard Act, 2006.
2. Heard Learned counsel for the applicant and perused the complaint, which resulted in registration of the C.R.

The complainant, official of the Police department received an information about transportation of the prohibited substance

by a Swift Car and on intercepting the same, the prohibited substance worth Rs. 2,40,100/- came to be seized. While interrogating the driver of the said vehicle, he disclosed that the substance is supplied to the present applicant.

On the aforesaid statement made in the complaint, the applicant is arraigned as accused no.2.

The Learned APP state that in past a similar offence is registered against the applicant i.e CR No.163/2021 with the very same police station, but the learned counsel for the applicant state that in the said CR, he has been released on an bail in anticipation of his arrest. The involvement of the applicant in the present C.R is surfaced on the statement given by the co-accused and the veracity of such statement will be a matter of trial.

However, since the substance has already been seized and recovered, while the vehicle was transporting it, the custodial interrogation of the applicant would not serve any purpose.

3. As far as his involvement in similar type of offence is concerned, it is upto the Investigating Officer to take appropriate step to ensure that he did not indulge in a similar offence. Hence the following order.

: **ORDER** :

(a) Application is allowed.

(b) In the event of his arrest, the Applicant shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/-

with one or two sureties of the like amount.

(c) He shall report to the concerned police station on 13, 14 and 15 of June, 2022 between 2:00 pm to 5:00 pm and thereafter as and when called.

(d) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

(SMT. BHARATI DANGRE, J.)