

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2358 OF 2022

Kishorsingh Bapusing Thakur ...Applicant

Versus

The State of Maharashtra ...Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO. 2359 OF 2022

Sanjay Dhansing Thakur ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Sagar Tambe a/w Mr. Kamran Shaikh a/w Mr. Changdev Shingade i/b Mr. Ritesh Thobde for the Applicants.

Mr. V.B. Konde-Deshmukh, APP for the State.

Mr. K.A. Salgar, Solapur Rural Police Station, Present.

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CORAM : N.R. BORKAR, J.

DATED : 22 NOVEMBER 2022

P.C. :-

Both these applications are filed under Section 438 of Code of Criminal Procedure for anticipatory bail.

2. The applicants are apprehending their arrest in Crime No. 303 of 2022 registered at Solapur Rural police station for the offences punishable under Section 3 and 7 of Essential Commodities Act.

3. On 16.04.2022, the truck bearing registration No. MH-12-SQ-1083 was intercepted and 29 tonnes of rice which was meant for public distribution system, was found in the said truck.

4. The applicant- Kishorsingh Bapusing Thakur was driver of the said truck and the applicant- Sanjay Dhansing Thakur was cleaner.

5. This Court by order dated 29 August 2022 granted interim anticipatory bail to the present applicants and directed the applicants to attend the concerned police station and co-operate in the investigation.

6. The learned counsel for the applicants submits that pursuant to the order of this Court, the applicants had attended the concerned police station. The learned APP has not disputed the said fact.

7. The learned Counsel for the applicants submits that applicants were not aware that the rice which they were transporting was meant for public distribution system. It is submitted that nothing is to be recovered from the applicants and therefore their custodial interrogation is not necessary. It is further submitted that goods owner is already arrested. Considering the fact and circumstances and

as there are no other criminal antecedents, I am inclined to release the applicants on anticipatory bail.

8. The interim anticipatory bail granted to the applicants by this Court by order dated 29 August 2022 is hereby confirmed.

9. Applications are disposed of.

(N.R. BORKAR, J.)