

PMB

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

ANTICIPATORY BAIL APPLICATION NO.3413 OF 2022

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MEGHA DEVENDRA KHAIRE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Arvind J. Jaiswar a/w Mr. Emamuddin Azmi a/w Mr.
Nachiket Bhone for applicant.

Mr. S. V. Gavand, APP for State.

Mr. Ramchandra Khandu Tambe, PSI, Deonar Police Station.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 13, 2022.

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. This is an application for pre-arrest bail in respect of
the offence punishable under Sections 3, 7, 8 and 9 of
Essential Commodities Act, 1955 in connection with C.R.
No.1079 of 2022 dated 16.09.2022 registered with Deonar
Police Station.

3. The FIR was filed on 16.09.2022. The fair price shop is
owned by the applicant. It was found that the stock of rice

in the fair price shop was extra to the tune of 20 bags of 50 kg each. The employee of the shop was apprehended with 20 bags of 50 kg rice while the same was being unloaded in the shop. The ration rice is a commodity meant for economically backward class people. I am not inclined to entertain this application for pre-arrest bail considering the gravity of the offence.

4. The offence is punishable upto 7 years. Learned APP submitted that the Investigating Officer was trying to serve a notice under Section 41A of the Code of Criminal Procedure, 1973 on the applicant, but she was not found.

5. Learned counsel for the applicant submits that the applicant is very much available on the address mentioned in the cause title. According to him, she is bedridden and she is not keeping well.

6. The Investigating Officer may serve the Section 41A notice on the applicant. If the applicant is to accept Section 41A notice, the Investigating Officer may proceed further. If the notice is not accepted, it is open for the Investigating Officer to take appropriate steps in accordance with law.

- 7.** With these observations, the Anticipatory Bail Application is not entertained.
- 8.** The Anticipatory Bail Application is disposed of.

(M. S. KARNIK, J.)