IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.561 OF 2022

Shailesh Govind Biyani .**Vs.** State of Maharashtra, through P.S.O., P.S. Manora, Washim

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's order	Court's or Judge's Order

Shri T.S. Kene, Adv. h/f Shri T.U. Tathode, Adv. for the applicant.
Shri S.M. Ghodeswar, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : 08/09/2022

1. Heard.

2. The applicant is seeking pre-arrest bail in Crime No.360 of 2022, dated 02.07.2022, registered with Police Station, Manora, District: Washim, for the offences punishable under Sections 3 and 7 of the Essential Commodities Act, 1955.

3. Shri Kene, learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged offence. It is further submitted that the applicant has already submitted bills to IO show that the applicant has purchased the foodgrains involved in the alleged offence. In the circumstances, he submits that custodial interrogation of the applicant is not necessary.

4. On the other hand, Shri Ghodeswar, learned APP fairly states that the bills are submitted to the Investigating Officer (IO) and there are no instruction from the IO that bills are not genuine.

5. Be that as it may, considering the nature of the allegations and the fact that, bills are submitted to the IO to show that the ownership of the foodgrains involved in the alleged offence, I am of the opinion that custodial interrogation of the applicant is not necessary. Accordingly, I pass the following order:

a) The criminal application is **allowed**.

b) Order passed by this Court on 26.07.2022, granting *ad-interim* anticipatory bail, is confirmed with modification that the applicant shall attend the concerned Police Station as and when his presence is required.

c) The applicant shall not tamper with the prosecution witnesses.

The criminal application is **disposed of** accordingly.

[ANIL S. KILOR, J.]

Signed By:CHETAN LOPCHAND DHAKATE
Personal Assistant to the Hon'ble Judge
Signing Date:08.09.2022 17:27