

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

CRIMINAL APPLICATION (ABA) NO.664 OF 2022

Aziz Khan Chote and others .Vs. State of Maharashtra, through P.S.O., P.S.
Mangrulpir, Tq. Mangrulpir, Dist. Washim

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

Court's or Judge's Order

Shri Jagirdar, Advocate for the applicants.

Shri S.D. Sirpurkar, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 22/11/2022

Heard.

2. The applicant is seeking pre-arrest bail in Crime No.604 of 2022, registered with Police Station Mangrulpir, District: Washim, for the offences punishable under Sections 3 and 7 of the Essential Commodities Act.

3. The applicant was granted *ad-interim* anticipatory bail on 15.09.2022 and thereafter, on 22.09.2022 he was directed to attend the concerned Police Station from 26.09.2022 till 29.09.2022 and submit all the details, as regards the ownership of the food grains and other relevant documents, including the order of Supratnama. It was also directed that after submission of such documents and on verification of the same, the Investigating Officer (IO) shall file his report on the above referred matter on or before

03.10.2022. However, in compliance of the said order, no report has been filed by the IO, till date.

4. Thus, it appears that after verification of the record the IO does not want to make any submission in that regard and if the case of the applicant is accepted that for the same stock of food grains two offences were registered, *prima facie* no case is made out by the State for registration of the offence vide Crime No.604 of 2022. In that view of the matter, 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 15.09.2022, 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.

JUDGE