

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

CRIMINAL APPLICATION (ABA) NO. 700 OF 2022

Shaikh Raees Shaikh Afsar and another .Vs. State of Maharashtra, thr. PSO, PS Buldana (Rural), Dist. Buldhana.

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

Court's or Judge's Order

Shri M.N. Ali, counsel for the applicants.

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

CORAM : ANIL S. KILOR, J.

DATED : 22/11/2022

1. Heard.
2. The applicants are seeking anticipatory bail in connection with Crime No. 0286/2022 registered with Police Station Buldhana (rural), District Buldhana for the offences punishable under Sections 188, 273, 328 of the Indian Penal Code read with Section 26(2)(iv) and 59(i) of the Food Safety and Standard Act, 2006.
3. It is submitted that the applicants were arraigned as accused only on the basis of the statement of the co-accused.
4. In this case, the custodial interrogation of the applicants are not necessary. As the police have seized the contraband and nothing is to be recovered from the applicants.
5. On the other hand, learned APP strongly opposed the present application and submits that the contraband worth of Rs. 8.60 Lakhs was seized from the applicants.

6. The learned APP further points out that, there are criminal antecedents of the similar nature to the discredit of the applicants.

7. Considering the fact that, the applicants are involved in the similar nature of the offences and further considering the huge quantity, which was seized, I am of the opinion that, if the bail is granted to the applicants, they will repeat the offence.

8. Moreover, the investigation is going on and the investigating officer is required the custodial interrogation of the applicants to unearth the racket if any involved in the alleged offence.

9. In the circumstances, I am not inclined to grant bail. Accordingly, I pass the following order:

The criminal application is **rejected**.

JUDGE