

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

41 ANTICIPATORY BAIL APPLICATION NO.464 OF 2023

Abdul Malik Abdul Halim

...Applicant

VERSUS

1. The State of Maharashtra

2. The Superintendent of Police,
Nanded

...Respondents

...

Advocate for Applicant : Mr.Shaikh Rauf Shaikh Rasul

APP for Respondent-State : Mr.N.T.Bhagat

...

CORAM : R. G. AVACHAT, J.

DATE : 17.04.2023.

PER COURT :

1. Heard.

2. The learned APP has strong objection to allow the application. According to him, a large quantity of Pan Masala/Ghutka worth Rs. 21,67,776/- has been seized. The applicant is making statement that he is not going to make an application for return of the seized Pan Masala/Ghthka. The same suggests the applicant to have suffered monetary loss to

the extent of Rs. 21,00,000/- . Except an offence under Section 328 of the Indian Penal Code, all other offences are bailable one. It is a mute question, as to whether, in the facts and circumstances of the case, the offence under Section 328 of the IPC could be invoked.

3. In view of the same, ad-interim anticipatory bail granted to the applicant vide order dated 31.03.2023 is made absolute. The application stands allowed and disposed of accordingly.

(R. G. AVACHAT)
JUDGE

mahajansb/