

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

937 BAIL APPLICATION NO.698 OF 2023

ROHIT SANJAY RATHOD
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Shaikh Ashraf Patel.
APP for Respondent-State : Mr. S. B. Narwade.

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CORAM : S. G. MEHARE, J.
DATE : 27.04.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail in Crime No.133 of 2023, registered at Naldurg Police Station, District Osmanabad, for the offences punishable under Sections 188, 328, 272, 273 of the IPC and Sections 26(2)(i), 27(2)(e), 30(2)(a) and 59 of Food Safety and Standards Act etc.
3. The applicant is a car owner in which the *Gutkha* was seized. Only Section 328 of the IPC is non bailable. Whether Section 328 of the IPC would apply to the case of *Gutkha* is seized with the Hon'ble Supreme Court. Hon'ble Supreme Court granted bail to the accused. That apart, the

applicant was not present in the car when the alleged *Gutkha* was seized. There is a material progress in the investigation. In view of that matter, the applicant deserves bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **ROHIT SANJAY RATHOD** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.133 of 2023, registered at Naldurg Police Station, District Osmanabad, for the offences punishable under Sections 188, 328, 272, 273 of the IPC and Sections 26(2)(i), 27(2)(e), 30(2)(a) and 59 of Food Safety and Standards Act etc., on the condition that he shall attend the Police Station as and when called by the Investigating Officer on written notice till filing charge sheet.

(S. G. MEHARE, J.)

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