

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1146 OF 2023

Eknath s/o Shahaji Dombe

Applicant

Versus

The State of Maharashtra & another

Respondents

Mr. B. N. Gadegaonkar, Advocate for the applicant.

Mr. G. O. Wattamwar, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 15th SEPTEMBER, 2023.

PER COURT :

1. Applicant apprehends arrest in connection with Crime No. 0127/2023 registered with Mantha Police Station, Dist. Jalna, for the offences punishable under Sections 328, 272, 273, 188 of Indian Penal Code.

2. First Informant, Sanjay Shivaji Deshmukh, Police Inspector, Mantha Police Station, Tq. Mantha, Dist. Jalna, received secret information on 5th April, 2023 that contraband articles belonging to Deepak Borade are being transported from Jalna to Mantha. Accordingly, they intercepted vehicle bearing No. MH 22 AN

1581 and on search found contraband articles being transported from that vehicle. Accordingly, offence was registered.

3. Learned counsel for the applicant submits that applicant is the owner of the vehicle. However, since the contraband articles are seized, nothing is to be recovered from him.

4. Learned APP opposed the submissions by submitting that applicant is the owner of the vehicle in question in which the contraband articles were being transported. So also his presence at the spot is seen from the CDR.

5. Perusal of the First Information Report shows that the contraband articles are already seized. Though applicant is the owner of the vehicle in question, nothing is to be recovered at his instance. There are no criminal antecedents against the present applicants. Having regard to these facts, application is allowed in terms of the interim order.

(R. M. JOSHI)
Judge