

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

BAIL APPLICATION NO.1268 OF 2023

**ASHOK DHONDIRAM DARPE
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Shekade Shashikant E
APP for Respondent: Mr. K. S. Patil
...

CORAM : S. G. MEHARE, J.

DATE : 03.08.2023

PER COURT :

1. Heard the learned counsel for the applicant and the learned A.P.P for the respondent State at length.
2. The applicant is seeking bail in Crime No. 133 of 2023 registered with Police Station Pimpalner, District Beed for the offences punishable under Sections 272, 273, 278, 328 of Indian Penal Code and under Sections 30(2)(a) of the Food Safety And Standards Act, 2006.
3. It is a case of the recovery of *Gutka*. The issue whether Section 328 of Indian Penal Code would apply to the cases of Gutka, is seized with the Hon'ble Supreme Court. The Hon'ble Supreme Court granted bail to the accused in those cases. That apart, the Gutka has been seized forthwith. Nothing is to be recovered from the applicant. The

custodial interrogation of the applicant may not be required.

Therefore, he deserves bail. Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) Applicant Ashok Dhondiram Darpe be released on bail on furnishing P. B. and S.B. of Rs. 1,00,000/- (Rupees One Lakh) with one solvent surety of Rs. 50,000/-, in aforementioned crime registered with aforementioned police station, on the following conditions :-
 - (a) The applicant shall not indulge in the similar crime.
 - (b) The applicant shall attend the concerned police station as and when called on written notice by the Investigating Officer, till filing the charge sheet.

(S. G. MEHARE)
JUDGE