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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 224 OF 2023**

Pankajkumar Chotelal Gupta ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Nagesh Khedkar for the Applicant.
Ms Veera Shinde, APP for the State.
Mr. Sachin Chavan, PSI, Wakad Police Station, Present.

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CORAM : N.R. BORKAR, J.
DATED : 24 JANUARY 2023

P.C. :-

This is an application under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 185 of 2022 registered at Wakad Police Station for the offences punishable under Sections 3 read with 7 of Essential Commodities Act.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State and perused the First Information Report.

4. On the basis of secrete information, on 12 March 2022, a truck was intercepted and it was found to be illegally transporting wheat and rice meant for public distribution through fair price shop. According to the

prosecution, the said rice and wheat was being transported with intent to sell in black market for higher gain.

5. According to the prosecution, the said rice and wheat was purchased by the co-accused Chhotelal Gupta from fair price shop owners, who are also co-accused in the present crime. The applicant is the son of the co-accused Chhotelal Gupta. It appears that he is made accused just because, he is the son of co-accused Chhotelal Gupta. None of the co-accused has said that the present applicant is involved in the alleged crime, nor there is any other incriminating material to connect him with the alleged crime. I am thus inclined to release the applicant on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicant- Pankajkumar Chotelal Gupta in Crime No. 185 of 2022 registered at Wakad Police Station for the offences punishable under Sections 3 read with 7 of Essential Commodities Act, he shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station from 1 February 2023 to 3 February 2023 between 11.00 am to 2.00 pm and shall co-operate in the investigation.

(N.R. BORKAR, J.)