

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.327 OF 2023

Vinod Muktinath Sharma ..Applicant
VS.
The State of Maharashtra ..Respondent

Adv. Sanjeev Kadam i/b Prashant P. Raul for the Applicant.

Mr. H.J. Dedhia, APP for the State.

PSI Shingate, Bhandup Police Station.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 10, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for pre-arrest bail by the applicant in connection with C.R. No.1007 of 2022 dated 16/12/2012, registered with Bhandup Police Station, under sections 285, 336 read with 34 of the Indian Penal Code, 1860, sections 3, 7 and 8 of the Essential Commodities Act, 1955 read with sections 4 and 5 of the Motor Spirit and High Speed Diesel (Regulation of Supply and Distribution and Prevention of Malpractices) Order, 1998.

3. It is submitted by the learned APP that the applicant has not approached the Sessions Court in the first instance for seeking anticipatory bail. I am not inclined to entertain the present application as the applicant must first approach the Sessions Court. It is open for the applicant to approach the Sessions Court by filing an appropriate application for anticipatory bail which shall be considered on its own merits.

4. The interim protection granted by this Court vide order dated 02/02/2023 is continued for a period of 1 week from today. If any such application is filed, the Sessions Court may decide the application or the prayer for interim relief on its own merits without being influenced by the interim order of this Court. I have not examined the application on merits.

5. With this liberty the application is disposed of.

(M. S. KARNIK, J.)