



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2104 OF 2023

Brijesh Mahendrakumar Goud ...Applicant

vs.

The State of Maharashtra ...Respondent

Mr.Siddharth Jaguste i/b. Ms.Prawada Raut– Advocate for Applicant.
Mr.S.R.Agarkar – APP for Respondent – State.
Mr.Nitin Koli – PSI – Waliv Police Station.

CORAM : S. M. MODAK, J.

DATED : 17TH AUGUST 2023

P. C. :

1. Heard learned Advocate for the Applicant and learned APP Officer from concerned Police Station is present.
2. Accused No.1 – Sheshnarayan Yadav was transporting essential commodity of wheat. When his truck came at Mauje Rajavali, Taluka : Vasai, District : Palghar, the rickshaw owned by this Applicant was found loaded with 5 gunny bags of wheat. Alert villagers found that act and they informed the Police. Police went there and taken that truck and auto rickshaw into custody. The rickshaw driver was successful in running away. Thereafter, it was informed to Revenue

Satish Sangar

Officers and Circle Inspector lodged a complaint on 9th June, 2023 with Waliv Police Station under Section 3 and 7 of the Essential Commodities Act, 1955.

3. The statements of the villagers are recorded. The rickshaw along with 5 gunny bags was found at the spot. The truck driver was taken to the Police Station. He was not arrested. Now, he is absconding. It seems that the truck driver and auto rickshaw driver were not successful in transporting the wheat at some other destination, but they were arrested earlier to that.

4. Custodial interrogation is not required. Hence, order :-

ORDER

- (i) In case of an arrest in connection with C.R. No. 520 of 2023 registered with Waliv Police Station for the offences punishable under Sections 3 and 7 of the Essential Commodities Act, the Applicant – Brijesh Mahendrakumar Goud be released on furnishing personal bond and surety bond of Rs.25,000/-.
- (ii) Applicant is directed to give attendance to Walive Police Station on 24th, 31st August and 7th September, 2023 from 10.00 to 12.00 noon and thereafter, as and when required.
- (iii) In case of breach of any of the conditions, the bail of the Applicant is liable to be cancelled after notice.

5. These are my *prima facie* observations. Let the learned trial

Court need not be influenced by them.

6. Application is disposed of in the aforesaid terms.
7. All the parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]