



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.286 OF 2023
Firoz Khan s/o Rashid Khan Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri K.H. Anandani, Advocate for applicant.
Shri M.J. Khan, APP for non-applicant/State.

CORAM : M.W. CHANDWANI, J.
DATE : SEPTEMBER 07, 2023.

The applicant is apprehending arrest in connection with Crime No.165/2023 registered with Police Station, Ura, Taluka Balapur, District Akola for the offences punishable under Section 3 and 7 of the Essential Commodities Act read with Section 34 of the Indian Penal Code.

2. Heard learned counsel for the applicant as well as learned APP for the State. Gone through the case diary.

3. The prosecution story is that when the police was on paroling at about 6.00 pm they received a secrete information that near HP Oil Depot Parking the applicant and co-accused are engaged in selling the diesel in black market therefore they raided the place near HP Oil Depot and arrested Shrikant Mali and Sunil Agarkar on the spot while trying to carry away the diesel. Accordingly, diesel and vehicle were seized from those persons. During investigation, it was revealed that they had purchased the

diesel from the applicant and other co-accused Sanjay Trimbak Khetkar. Therefore, aforesaid offence came to be registered against the present applicant and other co-accused.

4. It appears that the raid is already conducted and the applicant was not found on the spot. The material against the applicant is the confessional statement of co-accused. Since diesel and vehicle are already recovered nothing is required to be seized from the applicant. During interim anticipatory bail the applicant appeared before the investigating agency and was interrogated.

5. In view of above, considering the nature of allegation and material against the present applicant, a case is made out for anticipatory bail. Hence, the application is allowed. Interim anticipatory bail order dated 03.05.2023 is hereby confirmed.

The application is disposed of.

JUDGE

Wagh