



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

CRIMINAL APPLICATION (ABA) NO.452 OF 2023

Mazhar Khan Raheman Khan and another 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 N.R. Tekade, Advocate for applicants.
Shri A.M. Kadukar, APP for non-applicant/State.

CORAM : M.W. CHANDWANI, J.

DATE : OCTOBER 11, 2023.

The applicants are apprehending their arrest in connection with Crime No.249/2023 registered at Police Station, Borgaon Manju, District Akola for the offences punishable under Sections 328, 188, 272 and 273 of the Indian Penal Code, 1860 and under Sections 26(2)(iv) and 59 of the Food Safety and Standards Act, 2006.

2. Heard learned counsel for the applicant as well as learned APP for the non-applicant/State. Perused the case diary.

3. Perusal of case diary shows that on receipt of secret information on 30.06.2023 the police conducted raid on pan kiosk and seized contraband articles viz. scented tobacco and scented betel nut worth ₹8,793/-. The co-accused came to be arrested and released on bail. It is also transpires from the case diary that during the investigation involvement of the applicants is revealed. The contraband articles were already seized, which is a crucial part of the investigation. Nothing is to be seized from the applicants. The applicants are already protected by way of interim order dated 13.07.2023. As per

direction in the interim order the applicants attended the concerned Police Station. There is no likelihood that the applicants would flee from justice. A case is made out for exercising discretion in favour of the applicants. Hence, the application is allowed. The ad interim protection order dated 13.07.2023 is hereby confirmed.

The application is disposed of.

JUDGE

Wagh