



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 834 OF 2024

Vipulbhai Dilipbhai Patel

VERSUS

The State Of Maharashtra And Another

- Ms. R. L. Jakhade h/f Mr. S. A. Kulkarni, Advocate for the Applicant
- Ms. M. L. Sangit, APP for the Respondent/State

CORAM : R.M. JOSHI, J

DATE : SEPTEMBER 30, 2024

PER COURT :

1. Applicant apprehends arrest in connection with with C.R. No. 193 of 2024 registered with Akkalkuva Police Station, Dist. Nandurbar for the offences punishable under Sections 2, 10, 11, 15, 16 & 17 of the Seeds Act and Sections 2(8), 9(11), 7(A)(C)(D), 14(E), 2(1)(iii)(xii), 11(1) & 12(1) of the Maharashtra Cotton Seeds Act and Sections 7 & 8 of the Environment Act and Sections 7(1)(4), 8 & 10 Rules for Manufacturing Import, Export and Storage of Hazardous or Cells.

2. First information report indicates that a vehicle was intercepted on the road wherein it is found that the bogus seeds were being transported. On the

basis of the said statement of the driver (co-accused) it is found that the said bogus seeds were transported at the instance of present Applicant.

3. Learned Counsel for the Applicant submits that the Applicant is not the owner of the Khedut Agro Centre. According to her, except for the alleged statement of the accused, there is no evidence to connect him with the crime, and said statement of the co-accused cannot be read against the present Applicant.

4. Though learned APP opposed the application but she was unable to show any evidence collected during the investigation to connect Applicant with this crime.

5. Needless to say that the statement of the co-accused cannot become sole basis for accepting involvement of the applicant in crime. During the course of the investigation, no evidence is collected to show nexus between offence & Applicant herein. In view of the fact that the raid is not conducted at any premises, so called statement of the co-accused is not sufficient to connect Applicant with the crime. There

are no criminal antecedents against the Applicant. Entire seizure is done at the spot itself and hence, nothing is to be seized at the instance of the Applicant. Appropriate direction to the Applicant to cooperate in the investigation will be sufficient for effective investigation of the crime.

6. In view of the above, application stands allowed. Hence, the order:

O R D E R

- (i) In the event of arrest of the Applicant in connection with C.R. No. 193 of 2024 registered with Akkalkuva Police Station, Dist. Nandurbar for the offences punishable under Sections 2, 10, 11, 15, 16 & 17 of the Seeds Act and Sections 2(8), 9(11), 7(A)(C)(D), 14(E), 2(1)(iii)(xii), 11(1) & 12(1) of the Maharashtra Cotton Seeds Act and Sections 7 & 8 of the Environment Act and Sections 7(1)(4), 8 & 10 Rules for Manufacturing Import, Export and Storage of Hazardous or Cells, he shall be released on bail on furnishing PR bond of Rs. 15,000 (Rupees Fifteen Thousand Only) with one surety in the like amount.
- (ii) He shall attend the concerned police station once in fortnight till filing of the charge-sheet.
- (iii) He shall not contact the witnesses directly or indirectly.

- (iv) He shall not interfere with the evidence in any manner whatsoever.
- (v) He is further directed to cooperate the investigating agency for further investigation.

(R.M. JOSHI, J.)