



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

962 ANTICIPATORY BAIL APPLICATION NO. 946 OF 2024

Vishal Ashokkumar Karda

VERSUS

The State of Maharashtra and another

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Advocate for Applicant : Mr. Surendra V. Suryawanshi

APP for Respondents: Mr. C.V. Bhadane

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CORAM : SHIVKUMAR DIGE, J.
DATED : 13th AUGUST, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No. 64 of 2024 registered with Nashirabad Police Station, district Jalgaon, for the offences punishable under Sections 188, 272, 273, 328 r.w. 34 of the Indian Penal Code.

2. It is the prosecution's case that on secret information, the police intercepted one Eicher truck bearing No. MH-38-T-5410 and took search of the said truck. During the search, the police found Gutkha in the said truck and the police have seized the said Gutkha from the said vehicle. It is alleged that the applicant is owner of the Gutkha.

3. It is the contention of the learned counsel for the applicant that

the applicant has been falsely implicated in this case. No full name of the applicant is mentioned in the F.I.R. The police have seized the Gutkha from the said vehicle. The investigation is completed, hence, the custodial interrogation of the applicant is not required and requested to allow the application.

4. It is the contention of the learned APP that Gutkha is seized from the vehicle. The applicant is owner of the said Gutkha. The applicant has criminal antecedents. One case of similar nature is registered against the applicant. Considering the allegations against the applicant, his custodial interrogation is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and the police papers produced on record. The allegations against the applicant are that he is owner of the Gutkha. In the F.I.R. no full name of the applicant is mentioned and only his surname is mentioned. Moreover, the Gutkha is seized by the police. Considering the allegations against the applicant, his custodial interrogation is not required and I pass the following order :-

ORDER

(i) The application is allowed.

(ii) The interim anticipatory bail granted to the applicant vide order dated 14.06.2024 stands confirmed on same terms and conditions with following modification:-

(a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

(SHIVKUMAR DIGE, J.)

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