



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

967 ANTICIPATORY BAIL APPLICATION NO. 979 OF 2024

Jagannath Ramrao Tekale

VERSUS

The State of Maharashtra and another

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Advocate for Applicant : Mr. Madhav K. Jadhav

APP for Respondents: Ms. Rashmi P. Gour

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CORAM : SHIVKUMAR DIGE, J.

DATED : 16th JULY, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No. 148 of 2024 registered with Daithana Police Station, district Parbhani, for the offences punishable under Sections 188, 272, 273, 328 of the Indian Penal Code.

2. It is the prosecution's case that the police received a secret information about the storage of Gutkha in one house. Accordingly, the police team conducted a raid on the house adjacent to the house of the applicant, which was taken on rent by the applicant. In the said house, the police found Gutkha, Panmasala and other material worth around Rs.83,404/-. The said Gutkha is seized in presence of the panchas.

3. It is the contention of the learned counsel for the applicant that the house from which the police have seized the Gutkha, Panmasala and other material is not belonging to the applicant. The applicant has been falsely implicated in this case. The Custodial interrogation of the applicant is not required hence he requested to allow the application.

4. It is the contention of the learned APP that the house from which the Gutkha, Panmasala and other material is seized is taken on rent by the applicant. There is involvement of the applicant in the said crime. The custodial interrogation of the applicant is required to know from where he has purchased the said Gutkha, Panmasala and other material 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. It is alleged that the Gutkha is seized from the house adjacent to the house of the applicant. No document is produced with the police papers to show that the said house is taken on rent by the applicant from where the Gutkha and other material is seized. 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) In the event of arrest of the applicant in connection with crime No. 148 of 2024 registered with Daithana Police Station, district Parbhani, for the offences punishable under Sections 188, 272, 273, 328 of the Indian Penal Code, the applicant be released on executing personal bond in the sum of Rs.15,000/- with one surety of the like amount, on the following condition :-
- (a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

(SHIVKUMAR DIGE, J.)

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