



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1307 OF 2023

1. Prakashji S/o Dhanrajji Totala
2. Pawan S/o Prakashji Totala ... Applicants

VERSUS

The State Of Maharashtra ... Respondent

.....
Mr. Shrikant G. Kawade, Advocate for the Applicants
Mr. A.R. Kale, APP for Respondents – State
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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 18th JANUARY, 2024

ORDER :

1. The applicants apprehend arrest in connection with Crime No. 400 of 2023 registered with Bhingar Camp Police Station, Ahmednagar for offences punishable under sections 3 and 7 of Essential Commodities Act and Section 34 of the Indian Penal Code.

2. FIR is lodged by Police Constable Ranjit Jadhve, LCB, Ahmednagar alleging that on 27.06.2023, on receipt of secret information, raid was conducted and Ashok Leyland Truck bearing No. MH-16-CD-7079 was intercepted. 600 rice

bags were found in the said Truck, and on inquiry with the driver, it was found that the said rice was meant for public distribution through fair price shop. It was loaded from the Mahesh Gruha Udyog , situated at M.I.D.C. Beed owned by applicants.

3. Heard learned advocate for applicants and learned APP for respondent – State.

4. *Prima facie*, there is no material on record to show that the seized rice is of public distribution system. Applicants have started Mahesh Gruh Udyog, in which applicants purchase food grains from open market, and after processing the same, they sale it.

5. *Prima facie*, there does not appear any material to connect applicants in the present crime. Applicants were protected and they have co-operated in the investigation.

6. The application is therefore allowed by confirming interim protection granted by this Court by order dated 11.09.2023.

7. Till filing of the charge-sheet, applicants shall attend the concerned police station as and when called by the Investigating Officer, and co-operate in the investigation. Applicants shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

S.P. Rane