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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1334 OF 2023

Dhanesh Mohandas Shevlani

APPLICANT

VERSUS

The State of Maharashtra and Another

RESPONDENTS

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Mr. Narayan B. Narwade, Advocate for the applicant

Mr. S. B. Jadhav, APP for respondent - State

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 19th JANUARY, 2024

ORDER :

1. Applicant apprehends arrest in Crime No. 206 of 2023 registered with Upnagar Police Station, Nandurbar for offence punishable under sections 3 and 7 of the Essential Commodities Act, 1955.

2. FIR is lodged by Ramesh Shamsing Valvi, Supply Inspector, Tahsil Office, Nandurbar, alleging that applicant has stocked 293 quintal wheat, without obtaining permit from Government. Government, vide notification dated 12th June, 2023, imposed restrictions on the stock of food grains. The stock of food gains of applicant was found in excess than permitted in the said notification.

3. It is the case of applicant that applicant has paid necessary license fee to the Agriculture Produce Market Committee and has also paid penalty amount. Wheat was already purchased by applicant from agriculturists as applicant is doing business as a wholesaler. Receipts of purchase of wheat are placed on record in the present application.

4. Since wheat stock is already seized and the same is ordered to be distributed, nothing is to be recovered from applicant. Custodial detention of applicant, in the peculiar facts of the present case, is not warranted. The application is, therefore, allowed by confirming interim protection granted vide order dated 18th August, 2023.

5. Till filing of the charge sheet, applicant shall attend the concerned police station as and when called by the investigating officer. Applicant shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE