



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2154 OF 2023

Amarjitsingh S/o Mastansingh Bhathal ... Applicant

VERSUS

The State Of Maharashtra
And Others ... Respondents

.....
Mr. Amit A. Mukhedkar, Advocate for Applicant
Mr. D.R. Korde, APP for Respondents – State

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 25th APRIL, 2024

ORDER :

1. Applicant apprehends arrest in Crime No. 0882 of 2023, registered with Nanded Gramin Police Station, District-Nanded for offences punishable under sections 3 and 7 of the Essential Commodities Act.

2. FIR is lodged by Dipak Parshvanath Marale alleging that on 20.12.2021, Tahasildar, Nanded and Police Inspector, Police Station Nanded (Gramin) received confidential information about storage of sale of Bio-diesel illegally. Accordingly, he and other police staff went on the spot where they found accused persons illegally collected Bio-diesel without permission and illegally selling it in the three white colour and one yellow colour Plastic Plasto Company's Tanks with the help of one electric meter.

3. Heard learned advocate for applicant and learned APP for respondents – State.

4. In the FIR, name of applicant is not mentioned. His name was disclosed by accused during investigation. Though his name is disclosed by co-accused, for reasons best known, Investigating Officer has failed to raid his premises or business premises. Offence is registered on 20.12.2021. Till today, material on record *prima facie*, do not show any involvement of applicant, there there is no material to connect the applicant with the present crime. Applicant was granted interim protection and he has co-operated in the investigation. No useful purpose would be served by remanding the applicant to the custody.

5. Application is therefore allowed by confirming interim protection granted to applicant by order dated 05.01.2024.

6. Till filing of charge-sheet, applicant shall attend concerned Police Station as and when called by the Investigating Officer. Applicant shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE