

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1174 OF 2024

Shrinath Jaswant Singh And Anr.	...Applicants
Versus	
State Of Maharashtra	...Respondent

Mr. J. V. Tare, Advocate for the Applicant.

Mr. Shriram S. Chaudhari, APP for the Respondent – State.

CORAM : M.W. CHANDWANI, J.
DATE : 21st MAY, 2024.
(VACATION COURT)

P.C.:

- 1) Heard the learned Counsel for the Applicants as well as the learned APP for State.
- 2) It appears that on 9th September, 2023, Police Officials were on patrolling duty. On suspicion, they intercepted a vehicle bearing Registration No. MH-55-AB-5033 and found contraband articles i.e. Gutka worth Rs.94,06,896/-. The police seized the said articles and arrested the Applicants and on a complaint of the Food & Drug Inspector, the offences under Sections 328, 272, 273, 188 read with Section 34 and Sections 26(2)(i), 26(2)(iv), 27(1), 30(2)(a) and 59

of the Food Safety and Standard Act, 2006, came to be registered against the Applicants.

- 3) During investigation, the name of the present Applicants were revealed as transporter and distributor of the said contraband. The issue as regards the interpretation of Section 328 of IPC is pending before the Supreme Court. Since the raid has already been conducted and contraband has already seized. Prima facie, a case is made out for grant of ad-interim bail.
- 4) Pending the application, in the event of arrest, the Applicants shall be released on bail in CR No. 277 of 2023, registered with Manor Police Station, on furnishing PR bond of Rs.50,000/- each with one solvent surety in the like amount.
- 5) The Applicants shall attend the concerned Police Station on 27th and 28th May, 2024 between 10.00 am to 12. 00 noon and co-operate in the investigation.
- 6) Stand over to 4th July, 2024.

(M.W. CHANDWANI, J.)