

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

ANTICIPATORY BAIL APPLICATION NO. 1466 OF 2024

Sagar Nathji Shinde	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Siddharth J. i/b Meshdeep Oak, Advocate for Applicant.

Mr. S. M. Mangarakar, APP for the Respondent – State.

Mr. Ramesh Nagtilak, Police Constable.

CORAM : M.W. CHANDWANI, J.
DATE : 24th MAY, 2024.
(VACATION COURT)

P.C.:

- 1) Heard the learned Counsel for the Applicant as well as the learned APP for State.
- 2) On 8th February, 2024, Police Constable Nitin Salve intercepted one motorcycle and found the contraband article 'Gutka' was being transported on the said motorcycle. The said contraband worth of Rs. 18,971/- came to be seized and filed CR No. 109 of 2024 came to be registered with Wadgaon Nimbalkar Police Station for the offences punishable under Sections 328,188,272,273 of IPC and Sections 26(2)(i),26(2)(ii),

26(2)(iv) 27(3)(d), 30(2)(a) of the Food Safety and Standard Act, 2006.

- 3) The allegations against the present applicant is that the accused from whom contraband came to be seized was purchased from the present applicant.
- 4) The learned APP fairly submitted that there is no antecedents of the applicant. Since contraband Gutka is already seized which is crucial part of investigation. Issue of applicability of Section 328 of IPC, in these types of cases is pending before the Supreme Court.
- 5) Considering the submission and nature of allegation, a case is made out for interim protection.
- 6) Pending the application, in the event of arrest, the applicant shall be released on bail on furnishing PR bond of Rs.50,000/- with one solvent surety in the like amount.
- 7) The applicant 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.
- 8) Stand over to 10th July, 2024.

(M.W. CHANDWANI, J.)