



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.21 OF 2024
(Ankit Satishkumar Agrawal Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. P.W. Mirza, Advocate for the applicant.
Mr. A.R. Chutke, APP for the non-applicant/State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JANUARY 24, 2024.

Heard.

2. By this application, the applicant is seeking anticipatory bail in connection with Crime No.1501/2023 registered with police station Hinganghat, District Wardha for offence punishable under Section 379 of the Indian Penal Code and Sections 3 and 7 of the Essential Commodities Act, 1955.

3. Learned Counsel for the applicant submitted that the accusation is made against the present applicant is that co-accused Vilas Balkrushna Waghmare against whom also the offence is registered and there was an agreement executed between NACOF and the Director of Education, Maharashtra State, Pune for supply of food grains under Mid-Day Meal wherein the said agency has to supply the food grains to various Government sectors under the Mid-Day Meal scheme. The present applicant is Sub-Contractor and the role of the transporting the rice

was not assigned to the present applicant. The name of the present applicant is also not mentioned in the FIR. The Division Bench of this Court while considering the allegation held that the principal allegations are against the co-accused, who was assigned a job of transportation of rice and directed the investigating agency not to file charge-sheet.

4. Learned Additional Public Prosecutor strongly opposed the application on the ground that the applicant has not cooperated with the Investigating agency and therefore, his bail application was rejected.

5. Having heard learned Counsel for the parties. Perused the recitals of the FIR. It reveals that the applicant is a Sub-contractor and the job of the transport of the food grains was not assigned to the present applicant. The principal allegations are against the co-accused. In view of that, the interim relief granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass following order :

(i) In the event of arrest, the applicant – Ankit Satishkumar Agrawal in connection with Crime No.1501/2023 registered with police station Hinganghat, District Wardha for offence punishable under Section 379 of the Indian Penal Code and Sections 3 and 7 of the Essential Commodities Act, 1955, be

released on anticipatory bail on executing a P.R.Bond in the sum of Rs.25,000/- with one solvent surety, in the like amount.

(ii) The applicant shall attend the concerned police station as and when required for the investigation purpose and the Investigating Officer shall issue 7 days notice in advance directing him to attend the police station and the applicant shall cooperate with the investigating agency.

(iii) The applicant shall not directly or indirectly make any inducement and threat or promise to any person acquainted with the facts of the present case.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*