



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

CRIMINAL APPLICATION (ABA) NO.644 OF 2024

(Vikram Vasram Jadhao 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. S.A. Mohta, Advocate for applicant.
Ms S. Dhote, A.PP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- SEPTEMBER 25, 2024.

Apprehending the arrest at the hands of police in connection with Crime No.490/2024 registered with Police Station Arni, District Yavatmal for the offences punishable under Sections 223, 274, 275, 123 of the Bharatiya Nyaya Sanhita, 2023; Sections 26(2)(i), 26(2)(iv), 27(3)(e), 30(2)(a), 3(1)(zz)(iv) and 59 of the Food Safety and Standards Act, 2006, the applicant approached this Court for grant of pre-arrest bail.

2. Learned Counsel for the applicant submitted that the crime is registered on the basis of a report lodged by the Food Safety Officer wherein it is alleged that she received the information that the applicant, who is working in a pan-stall, is possessing the contraband articles, including Gutkha, Scented Tobacco, Pan Masala, and others worth of Rs.12,450/-. On the basis of said report, police have conducted the raid and the contraband articles were seized. He submitted that there are no criminal antecedents against the present applicant. Merely on suspicion present applicant is arraigned as an accused.

As far as the custodial interrogation is concerned, which is not required as everything is seized. In view of that, he be protected by granting anticipatory bail.

3. Learned APP strongly opposed the said application and submitted that huge stock is seized from the present applicant. In view of that, the custodial interrogation of the present applicant is required and prays for rejection of the application.

4. I have heard learned Counsel for both the sides. Perused the investigation papers from which it reveals that the contraband articles were seized from the pan stall wherein the present applicant is working. As the entire contraband articles are already seized the custodial interrogation of the present applicant is not required. Moreover, there are not criminal antecedents against the present applicant. Considering the same, the interim protection granted to the applicant deserves to be confirmed.

5. Hence, the application is allowed. The interim protection granted to the applicant vide order dated 09/09/2024 is hereby confirmed on the same terms and conditions.

6. The applicant shall attend the concerned police station as and when required for the investigation purpose and shall cooperate with the investigating agency.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)