



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

CRIMINAL APPLICATION (BA) NO.963 OF 2024

(Suraj Rajkumar Tejwani and anr. 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. Mohd. Amin Mohd. Salim, Advocate for the applicants.
Ms S. Haider, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- OCTOBER 23, 2024.

By this application, the applicants are seeking bail as they came to be arrested on 14/09/2024 in connection with Crime No.595/2024 registered with Police Station Paratwada, District Amravati for the offence punishable under Sections 123, 223(b), 274 and 275 of the Bharatiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of report lodged by PSI Sachin Vasram Pawar on an allegation that he received a secret information that in gray color Hyundai Car some contraband articles i.e. scented nuts, scented tobacco and Gutkha are being transported worth of Rs.2,04,000/-. On interception of the vehicle, the present applicants are found along with the contraband articles. On the basis of the said report, police have registered the crime against the present applicants. Learned Counsel for the applicants submitted that now the investigation is completed, entire contraband articles are

already seized, their further incarceration is not required. In view of that, they be released on bail.

3. Learned APP strongly opposed the said application and submitted that there are criminal antecedents against the present applicants. If they are released on bail they would involve in similar type of the crime. Hence, the application deserves to be rejected.

4. I have heard learned Counsel for both the parties. Perused the recitals of the FIR. The entire contraband articles are already seized. Mere criminal antecedents are not sufficient to curtail the liberty of the present applicant. However, considering their involvement in similar type of the offences, some conditions require to be imposed on the applicants. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The applicants – 1) Suraj Rajkumar Tejwani and 2) Gopal Rajkumar Tejwani in connection with Crime No.595/2024 registered with Police Station Paratwada, District Amravati for the offence punishable under Sections 123, 223(b), 274 and 275 of the Bharatiya Nyaya Sanhita, 2023, be released on bail on executing PR. bond in the sum of Rs.25,000/- each with one solvent surety each, in the like amount.

(iii) The applicants shall attend the concerned police station as and when required for the investigation purpose.

(iv) The applicants shall not indulge themselves in the similar type of the activities.

(v) The applicants shall not induce, threat or promise any witnesses in any manner who are acquainted with the facts of the case either personally or by way of electronic media.

(vi) The contravention of any of the condition would lead to the cancellation of bail.

5. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*