



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

938 ANTICIPATORY BAIL APPLICATION NO. 32 OF 2025

MOHAMMAD HAIDARSAB SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant :

Mr. Syed Parvez Syed h/f. Mr. Bilolika Upendra Bapurao
APP for Respondent/State: Mr. S. K. Shirse

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CORAM : ARUN R. PEDNEKER, J.

DATE : 30.01.2025

P.C. :

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with Crime No.0201/2024, dated 07.12.2024, registered at Kundalwadi Police Station, District Nanded, for the offences punishable under Sections 123, 274, 275 of the Bharatiya Nyaya Sanhita.

3. Considering the law as laid down by the Hon'ble Supreme Court that Section 123 of the B.N.S.

would not apply to seizure tobacco products, this court granted interim protection to the applicant. The learned counsel for the applicant submits that he has cooperated with the investigation.

4. In view of the same, the earlier protection granted by order dated 09.01.2025 stands confirmed on following conditions:

i] The applicant shall attend the police station as and when called by the Investigating Officer.

ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

5. In the event, the applicant violates any of the

conditions specified in this order, it shall be liable to be cancelled.

6. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

7. The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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