



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 1525 OF 2025

SAMEER JAKIYYODDIN SAYYAD

VERSUS

THE SUPERINTENDENT OF POLICE AND ANOTHER

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Advocate for Applicant : Mr. Rahul Pandhari Cheble
APP for Respondent/State : Mr. K.N. Lokhande
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CORAM : MEHROZ K. PATHAN, J.

DATE : 6th NOVEMBER 2025

PER COURT :

1. The Applicant has approached this Court, seeking anticipatory bail in connection with Crime No.274/2025 registered with Gandhi Chowk Police Station, District Latur for the offences punishable under Sections 123, 223, 274, 275 of Bharatiya Nyaya Sanhita, 2023 and Section 59 of the Foods Safety and Standards Act, 2006.
2. As per the First Information Report, the police authorities conducted a raid on the shop licensed in the name of the father of the present Applicant. The contraband, i.e., scented tobacco and pan masala worth Rs.5,860/-, was seized from the shop and has been sent to the Chemical Analyzer for obtaining its report.
3. The submission of the Counsel for the Applicant submits that

the shop is being run by Jakiyoddin Sayyad in whose name the license is issued under the Shop Act and the Applicant is doing a private business and has no share or interest in the running of the shop. He therefore submits that merely because the Applicant is the son of the licensee, he is being repeatedly dragged into various offences under the Shop Act. He further submits that as the contraband is already seized nothing remains to be recovered at the instance of the Applicant and hence the custodial interrogation may not be necessary.

4. As against this, the learned APP submits that the offences are serious in nature as Section 328 IPC is attracted in the present case, there are criminal antecedents against the present Applicant, wherein the Applicant was prosecuted for identical offences under Sections 328 and relevant Sections of IPC as well as the Food Safety and Standards Act.

5. The Counsel for the Applicant submits that the Applicant though was earlier also implicated in identical offences, this Court has granted him bail.

6. I have gone through the investigation papers made available by the learned APP. After going through the record, I could see that the present Applicant happens to be the son of the licensee of the shop owner Mr. Jakiyyoddin Sayyad. The amount of contraband seized from the premises is said to be Rs.5000/-, however the same is

already seized and sent to the Chemical Analyzer for obtaining its report. Upon instructions, the learned APP informs that the CA report is yet to be received. I am therefore of the view that the custodial interrogation of the present Applicant may not be necessary. Although the Applicant appears to have violated the earlier conditions imposed by this Court in BA No.1302/2024, the prosecution could have very well filed an application for cancellation of bail. Upon instructions, the learned APP submits that there are no instructions whether the prosecution has filed any application for cancellation of bail of present Applicant in Crime No.274/2024. In my view, therefore, the Applicant can be protected. Hence the following order :

ORDER

(i) In the event of arrest of the Applicant - Sameer Jakiyyoddin Sayyad, be released on bail on furnishing PR. bond of Rs.50,000/- (Rupees Fifty Thousands) with one solvent surety in the like amount, in connection with Crime No.274/2025 registered with Gandhi Chowk Police Station, District Latur, on the following conditions :

(a) The Applicant is directed to attend the concerned police station and report to the Investigating Officer between 11:00 a.m. to 01:00 p.m. on every Monday, and as and when called, until the filing of the charge-sheet.

(b) The Applicant shall also cooperate with the investigation and produce all relevant documents as may be sought by the Investigating Officer for the purpose of completing the investigation.

(c) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

(d) The Applicant shall furnish his residential address, contact number and copies of his Aadhaar / PAN Cards to the Investigating Officer, and shall also provide the names, addresses, and contact numbers of his close relatives for the purpose of record and verification.

7. The application stands disposed of in the above terms.

MEHROZ K. PATHAN
JUDGE

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