



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

**953 ANTICIPATORY BAIL APPLICATION NO. 1762 OF 2024**

Imtiyaz Rafiq Shaikh

VERSUS

The State Of Maharashtra And Another

...

Advocate for Applicant : Mr. Dixit Satyajeet S  
APP for Respondents-State: Mr. G. O. Wattamwar

...

**CORAM : ARUN R. PEDNEKER, J.**

**Dated : February 27, 2025.**

**PER COURT :-**

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

2. The applicant is apprehending arrest in connection with FIR No.0684/2024, dated 10/08/2024, registered at Sangamner City Police Station, Sangamner, District Ahmednagar, for the offences punishable under sections 3 and 7 of Essential Commodities Act, 1955, read with 3 and 7 of LPG (Regulations of Supply and Distribution) Order 2000 and offence punishable under Section 223, 287, 125 read with Section 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

3. This Court, by order dated 17/10/2024, granted interim protection to the applicant, considering the submissions in paragraph No. 4, which read as under : -

*"4. Learned Counsel for applicant submits that, except for alleged statement of co-accused, there is absolutely no evidence to connect the applicant in the crime. He makes a solemn statement that applicant has no criminal history."*

4. The case against the applicant is that a raid was conducted, during

which it was found that the accused were refilling gas from domestic cylinders. At that time, it is stated that the applicant was also present; however, he fled from the spot. His name was later revealed by the co-accused. The applicant is also one of the accused in the matter.

5. The learned Counsel for the applicant submits that there is no evidence against the applicant, as he is neither the owner of the shop nor the vehicle. He further submits that, apart from the statement of the co-accused, there is nothing on record to connect the applicant with the crime. It is also submitted that all the offences, except those under the Essential Commodities Act, are bailable. He argues that no custodial interrogation of the applicant is required, as nothing is to be seized from him. Additionally, he submits that, in pursuance of the interim order passed by this Court, the applicant has cooperated with the investigation.

6. Considering the above aspects, the interim protection granted to the applicant is confirmed.

7. In view of the above, the application is allowed in the following terms : -

- i] In the event the applicant is arrested in connection with FIR No.0684/2024, dated 10/08/2024, registered at Sangamner City Police Station, Sangamner, District Ahmednagar, for the offences

punishable under sections 3 and 7 of Essential Commodities Act, 1955, read with 3 and 7 of LPG (Regulations of Supply and Distribution) Order 2000 and offence punishable under Section 223, 287, 125 read with Section 3 (5) of the Bharatiya Nyaya Sanhita, 2023, he shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant shall attend the police station as and when called by the police.

iii] 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.

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

8. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

9. 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.

10. The application stands disposed of.

( ARUN R. PEDNEKER, J. )

*vj gawade/-.*