

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.855 OF 2023

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Dilip Ramchandra Maske

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Abhishek Ingale a/w. Ms. Nikita Pawar i/b. Mr. Umesh Mankapure, for the Applicant.

Mr. R. M. Pethe, APP for Respondent-State.

Mr. Kale Vikram Changdev, Head Constable, Mangalweda Police Station, District Solapur.

CORAM : M.M. SATHAYE, J.

DATE : 15th JULY, 2025

P.C. :

1. Heard learned counsel for the parties. This is an application for pre-arrest bail in connection with FIR No.155 of 2023 registered with Mangalweda Police Station, Solapur for the offenses under Section 188, 272, 273, 328 of Indian Penal Code, 1860 ('IPC', for short) and Section 26(2)(i), (ii), (iv), 27(3)(e), 30(2)(a), 59 of Food Safety and Standards Act, 2006.

2. By an order dated 23.03.2023, the interim protection was granted to the Applicant on certain terms and conditions. The allegation against the Applicant is that Pan Masala and Gutkha was being carried / taken for the Applicant and FIR was registered on the statement of the driver of the vehicle involved.

3. Learned APP for the State submits on instructions of officer of the concerned police station (who is present in the Court), that

charge-sheet is already filed. It is submitted that statements of the complainant, panchas, witnesses and Inventing Officer are recorded. It is informed that RCC No.482 of 2023 is registered in the concerned Court at Mangalwedha. No grievance is made about the Applicant's co-operation with investigation.

4. Considering the fact that charge sheet is already filed, and that the issue regarding applicability of Section 328 of IPC to Gutakha is pending before the Hon'ble Supreme Court and further considering that the Applicant is already protected for last 2 years, case for grant of pre-arrest bail is made. Hence, following order.

ORDER

(i) The Application is allowed in terms of the interim order dated 23.03.2023.

(ii) The Applicant is directed to remain present and attend the trial as and when directed by the Trial Court.

5. Application is disposed of in above terms.

(M.M. SATHAYE, J.)