

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 975 OF 2023

Amit Govind Vibhute

...Applicant

Versus

The State of Maharashtra

...Respondent

Ms. Manisha Devkar for the Applicant.

Mr. R.M. Pethe, APP (thru VC) for Respondent/State.

HC B.M. Koshti, attached to Mangalvedha Police Station present.

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CORAM : M.M. SATHAYE, J.
DATE : 25th JULY, 2025

P.C. :

1. Heard learned Counsel for the Applicant and learned APP for State.

2. This is an application for pre-arrest bail in connection with C.R. No. 106 of 2023 registered with Mangalvedha Police Station, Solapur for offence punishable under Sections 188, 272, 273 and 328 of IPC and under Sections 26(2)(i), 26(2)(ii), 26(2)(iv), 3(1)(zz)(iv) and 59 of the Food Safety and Standards Act, 2006. Applicant is accused No.3.

3. It is already recorded in the order dated 03.04.2023 that the concerned vehicle transporting Gutkha was intercepted and driver has named the Applicant. The Applicant is protected under order of this court since April 2023 for last more than 2 years.

4. Learned APP on instructions of the Officer of the concerned Police Station (who is present in the Court) submits that investigation is complete and chargesheet in respect of other accused is already filed. However, the Applicant was shown as absconding. Considering that the Applicant was protected by order of this Court in anticipatory bail application, he could not have been shown as absconding.

5. Learned Counsel for the Applicant submits that the Applicant had already reported to the concerned Police Station on 18.07.2025 under earlier order of this court.

6. Learned APP submits on instructions that the Applicant may be directed to report to the present Investigating Officer Mr. M.S. Koli, on three dates and thereafter, the necessary report can be filed. Learned APP though submits that there are antecedents about the Applicant, fairly concedes that those are not in respect of offence involved in the present FIR.

7. Considering the nature of allegations and the fact that the application of Section 328 to case involving Gutkha is pending before Hon'ble Supreme Court and further considering that the Applicant is ready to report to the Investigating Officer, case for grant of anticipatory bail is made out.

8. Hence, the application is allowed in terms of order dated 03.04.2023, with following conditions. The Applicant shall report to the present Investigating Officer on 4th, 5th and 6th August, 2025 at 11.00 a.m. and shall co-operate with the investigation. The Applicant shall also attend the trial on its commencement regularly, unless exempted by

the concerned Trial Court.

9. Anticipatory Bail Application is disposed of in above terms.

(M.M. SATHAYE, J.)