

Nikita

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

BAIL APPLICATION NO.2285 OF 2025

Bhausahab S/o Balasahab Kale ... Applicant

V/s.

The State of Maharashtra ... Respondent

NIKITA
KAILAS
DARADE
ADVOCATE
SPECIAL APPELLATE
JURISDICTION
BOMBAY
PHONE : 9822 08 08 82
12/01/25 TO 14/08/25

Mr. Nilesh D. Joshi i/b Mr. Prasad P. Kulkarni a/w Mr.
Amol A. Kanaki for the Applicant.

Ms. Anamika Malhotra, for the State.

CORAM : ASHWIN D. BHOBE, J.

DATED : 1st AUGUST, 2025

P.C.:

1. Heard Mr. Nilesh Joshi, learned Advocate for the Applicant and Ms. Anamika Malhotra, learned APP for the State.
2. By the present application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, Applicant is seeking bail in connection with C. R. No.50 of 2025 registered with Karkamb Police Station, Solapur, for the offences punishable under Sections 123, 274, 275, 3(5), of B. N. S. and under Section 3(1) (a), 3(1)(zz)(v), 26(1), 26(2)(1), 26(2)(v), 27(1) punishable under Section 59 of the Food Safety and Standards Act, 2006.
3. Mr. Nilesh Joshi, states that the said crime is registered as Sessions Case No.48 of 2025 and is pending before the Additional Sessions Judge, Pandharpur.

4. There are 10 Accused in the crime. Applicant is Accused No.8.
5. Aforesaid crime was registered at the instance of Mr. Umesh Subhash Bhuse, working as Assistant Commissioner in the Office of Food and Drugs Administration. Case of the prosecution is that information about preparation of adulterated milk in a tin shed at village Bhose, Taluka Pandharpur, was shared with the informant. Accordingly, a raid was effected with the assistance of the police, wherein, some of the Accused persons were found in the premises raided. Investigation, revealed Applicant's involvement in the crime, as a supplier of schemed milk powder.
6. Applicant was arrested on 11.04.2025. Since, then, the Applicant is in jail. Bail Application No.291 of 2025 filed by the Applicant was rejected by the Additional Sessions Judge Pandharpur by the order dated 21.05.2025.
7. Mr. Nilesh Joshi, learned Advocate for the Applicant submits that the Applicant is not involved in the Crime No.50 of 2025. He submits that the allegations against the Applicant is of having supplied schemed milk powder to the Accused No.1 and 2. He submits that neither any material in support of the said allegation is produced on record nor any recoveries made from the Applicant. He submits that the Applicant has been implicated in the present crime, without any basis and/ or without any supporting material. He submits that the Applicant has no criminal antecedents.
8. Ms. Anamika Malhotra, learned APP for the State submits that the involvement of the Applicant in the present crime is of a

supplier who is said to have supplied schemed milk powder to Accused No.1 and 2. She submits that apart from the said allegation, there is no other allegations against the Applicant. She submits that no recoveries are made from the Applicant.

9. I have perused the record with the assistance of the learned Advocates for the parties.

10. Charge-sheet reveals that the allegations against the Applicant is of being a supplier of schemed milk powder. Apart from the said allegations, there is no material in any form to connect the Applicant to the offences as alleged in the crime. No recoveries are made at the instance of the Applicant.

11. Aforesaid, being the nature of evidence on the strength of which, the prosecution proposes to bring home the charge against the Applicant, further no criminal antecedents of the Applicant being placed on record, this is a fit case to enlarge the Applicant on bail.

12. In view of the above, the present Bail Application is allowed, on the following conditions:

a) Applicant is directed to be released on bail in connection with C. R. No.50 of 2025 registered with Karkamb Police Station, Solapur on his furnishing PR bond in the sum of Rs.15,000/- with one or two sureties in the like amount to the satisfaction of Additional Sessions Judge, Pandharpur.

b) Applicant shall attend and regularly appear before the

learned Additional Sessions Judge, Pandharpur in Sessions Case No.48 of 2025 on each date of hearing, unless specifically exempted by the Court.

c) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade such person from disclosing the facts to the Court or any police officer and shall not tamper with evidence.

d) Applicant upon his release, within 3 days shall furnish to the Investigation Officer, Karkamb Police Station, Solapur his residential address with proof and the contact number and to keep the Investigation Officer intimated about the change in the same from time to time.

13. The Bail Application No.2285 of 2025 is allowed in the above said terms.

(ASHWIN D. BHOBE. J.)