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

ANTICIPATORY BAIL APPLN. NO. 2373 OF 2023

Manoj Tuljaram Talbhandare and Anr.Applicants
V/s
State of maharashtraRespondent

Mr. Ritesh Thobde a/w. Zubi Ansari, Mr. Darshan Singh Rajpurohit
and Mr. Changdev Shingade, for Applicants.
Mr. S.A. Karmarkar, APP for State.

CORAM : M.M. SATHAYE, J.

DATE : 28th JULY, 2025

P.C. :

1. Heard learned counsel for the Applicants and learned APP for Respondent/State.

2. Application is filed for pre-arrest bail in connection with C.R. No.314 of 2023 registered with Faujdar Chawadi Police Station, Solapur City for the offences punishable under Sections 328, 188, 272, 273 of Indian Penal Code, 1860 ('IPC' for short) r/w. Sections 26(2)(i), 26(2)(ii), 26(2)(iv) r/w. Sections 27(3)(e), 30(2)(a), 59 of the Food Safety and Standards Act, 2006.

3. Admittedly, the Applicants are protected by order of this Court dated 23.08.2023 for last about 2 years. It is recorded in the earlier order that when raid was conducted at the godown, accused No.1 - Ganesh Tajanji Katore was found in possession of the contraband articles being Gutakha and Pan Masala, who named the Applicants.

4. Learned APP, on telephonic instructions of the Investigating Officer of the concerned police station, submits that investigation is complete and charge-sheet is already filed and the case is registered as Sessions Case No.205 of 2024 in concerned Court.
5. Considering the fact that the Applicants are protected under earlier order of this Court and further considering the fact that the applicability of Section 328 of IPC to Gutakha/Pan Masala is pending before the Hon'ble Supreme Court, the case for grant of anticipatory bail is made out.
6. The anticipatory bail application is allowed in terms of order dated 23.08.2023. The applicant is directed to attend the trial regularly unless exempted by the concerned Court.
7. The anticipatory bail application is disposed of.

(M.M. SATHAYE, J.)