

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2497 OF 2023

Mahammad @ Mahmud Chand Tamboli Applicant

Versus

The State of Maharashtra Respondent

Mr. Priyal Sarda a/w Mr. Onkar Bajaj, Advocate for the Applicant.

Dr. A. A. Takalkar, A.P.P., for the Respondent – State.

Mr. Tukaram Bedre, P.C. Pangari Police Station, Solapur Rural – Present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th SEPTEMBER, 2025.

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P.C. :

1. The Applicant is apprehending arrest in C.R. No.144 of 2023 registered with Pangari Police Station, Barshi, District: Solapur, for the offences punishable under Sections 328, 188, 272, 273 of the Indian Penal Code, 1860 (for short, “IPC”) and Sections 26(2)(i), 26(2)(ii), 26(2)(iv), 27(3)(E), 30(2)(A) and 59 of the Food Safety and Standards Act, 2006.

2. It is prosecution’s case that on secret information police intercepted Eicher Tempo and in the search of the said tempo, police found Gutka worth more than Rs.55,000/-. It is alleged that the said Gutka belongs to the Applicant.

3. It is contention of learned counsel for the Applicant that the Applicant is on interim relief for two years. The Applicant has co-operated with the investigation. Investigation is completed and charge-sheet has been filed. Hence, requested to allow the application.

4. It is contention of learned APP that Gutka found in the said tempo belongs to the Applicant. Custodial interrogation of the Applicant is required to identify the source of Gutka. Learned APP further submitted that Applicant has not co-operated with the investigation, and requested to reject the application.

5. I have heard both learned counsel, perused F.I.R. and documents produced on record.

6. The allegations against the Applicant are that the Gutka found in the said tempo belongs to the Applicant. The Applicant is on interim relief for two years. The Applicant has co-operated with the investigation. Investigation is completed and charge-sheet has been filed. Considering these facts, custodial interrogation of the Applicant is not required and, I pass the following order:

ORDER

- i. The application is allowed.
- ii. In the event of arrest, the Applicant be enlarged on bail

in connection with C.R. No.144 of 2023 registered with Pangari Police Station, Barshi, District: Solapur, on furnishing P.R. Bond in the sum of Rs.50,000/- with one or tow sureties in the like amount.

- iii. The Applicant shall mark his attendance to the concerned police station as and when required.
- iv. The Applicant shall remain present before the trial Court on each date unless exempted by the trial Court.
- v. The Applicant shall inform his latest place of his residence and mobile number immediately after being continuation of bail and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
- vi. The trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.

7. The application is allowed in the aforesaid terms and is accordingly disposed off.

8. All the concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)