

Harish

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

ANTICIPATORY BAIL APPLICATION NO. 2324 OF 2025

Ramesh Dattatray Mali	...Applicant
Versus	
The State Of Maharashtra	...Respondent

HARISH
VITHAL
CHAUDHARI

Digitally signed
by HARISH
VITHAL
CHAUDHARI
Date:
2025.10.10
20:02:31 +0530

Mr. Mohan M. Chavan i/b Pushkar Najawekar for the Applicant.
Mr. N. B. Patil, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th OCTOBER, 2025

P.C.:

1. By this application the applicant is apprehending arrest in crime no.391 of 2025 registered with Miraj Rural Police Station Dist- Sangli for offences punishable under Sections 123 and 223 of Bharatiya Nyay Sanhita, 2023, under Sections 59 of Food Standard and Safety Act, 2006 and under Sections 3(1), 130 and 5 of Motor Vehicle Act, 1988.

2. It is prosecution's case that on secret information, the police inspected one vehicle. In the search of said vehicle, police found Gutka worth of Rs. 61,200/-. It is alleged that the applicant has supplied the said Gutka.

3. It is contention of learned counsel for the applicant that the applicant is resident of Karnataka and in Karnataka there is no ban on transport and sale the Gutka. Applicant has no antecedents. Hence, requested to allow the application.

4. It is contention of learned APP that the Gutka found in the vehicle was supplied by the applicant. Hence, his custodial interrogation is required and requested to reject the application.

5. I have heard both the learned counsel, perused the FIR and documents produced on record.

6. Applicant is resident of Karnataka. In Karanataka there is no ban on sale of Gutka. Considering these facts, custodial interrogation of the applicant is not required and I pass following order :

O R D E R

I. Application is allowed

II. In the event of arrest, applicant be enlarged on bail in crime no.391 of 2025 registered with Miraj Rural Police Station Dist- Sangli on furnishing P. R. Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount.

- III. The applicant shall attend the concerned police station as and when required.
 - IV. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
- 7. Application is disposed off in above terms.
 - 8. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.
 - 9. All concerned to act on authenticated copy of this order.

[SHIVKUMAR DIGE, J.]