

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

**CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2437 OF 2025**

Avinash Ramchandra Vadgave .... Applicant

**Versus**

The State of Maharashtra .... Respondent

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Mr. Harshvardhan S. Rane a/w Mr. Pruthviraj J. Zapate, Advocate for the Applicant.

Mr. P. P. Deokar, A.P.P., for the Respondent – State.

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**CORAM : SHIVKUMAR DIGE, J.  
DATE : 26<sup>th</sup> NOVEMBER, 2025.**

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**P.C. :**

1. The Applicant is apprehending arrest in Crime No.470 of 2025 registered with Hatkangale Police Station, District: Solapur, for the offences punishable under Sections, 112, 123, 272, 274, 223 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”) and under Section 59 of the Food Safety and Standards Act, 2006.

2. It is prosecution’s case that on 23<sup>rd</sup> September, 2025 around 4:57 a.m., on secret information, the police intercepted one tempo and in the search of said tempo, the police have found Gutka. It is

alleged that the said Gutka belongs to the Applicant.

3. It is contention of learned counsel for the Applicant that the police have seized Gutka. The name of the Applicant is mentioned on the say of the co-accused. The Applicant has no antecedents. While on interim relief, he has co-operated with investigation. Hence, requested to allow the application.

4. It is contention of learned APP that the Police have seized the Gutka from the co-accused. The said Gutka belongs to the Applicant. Hence, custodial interrogation of the Applicant is required, and requested to reject the application.

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

6. The Gutka and Tempo have been seized by the police. It is alleged that the said Gutka belongs to the Applicant. While on interim relief, the Applicant has co-operated with the investigation. The Applicant has no antecedents. Considering these facts, custodial interrogation of the Applicant is not required, and I pass 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.470 of 2025 registered with Hatkangale Police Station, District: Solapur, on executing P. R. Bond to the extent of Rs.25,000/- 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 contact and/or threaten/influence any witnesses in the present crime.
7. The application is allowed in the aforesaid terms and is accordingly disposed off.
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 the concerned to act on the authenticated copy of this order.

( SHIVKUMAR DIGE, J.)