

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

ANTICIPATORY BAIL APPLICATION NO. 2438 OF 2025

Jitendra Shantilal Jain

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Marvin Bardeskar a/w Mr. Changdev Shingade i/by Mr. Ritesh M. Thobde, for Applicant.

Mr. Anand Subhash Shalgaonkar, APP for the Respondent-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 18th DECEMBER, 2025

P.C.

1. The Applicant is apprehending arrest in Crime No.605 of 2025 registered with Barshi City Police Station, Dist. Solapur (Rural) for the offences punishable under Sections 223, 274, 275, 123, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 26(2)(i), 26(2)(ii), 26(2)(iv), 27(3)(e), 30(2)(a) and 59 of the Food Safety and Standard Act, 2006.

2. It is prosecution's case that on 31st July, 2025, on secret information, police raided on the shops i.e. M/s.Gajanan Traders, Barshi and other shops. In the search of said shop, police found

Gutkha. It is alleged that the said Gutkha was provided by the applicant to the said shop owners.

3. It is contention of learned counsel for applicant that while on interim relief, the applicant has cooperated in investigation. Investigation is almost completed. Hence, requested to allow the application.

4. It is contention of learned APP that Gutkha was found in the shop of co-accused was provided by the applicant. Hence, custodial interrogation of the applicant is required and requested to reject the application.

5. I have heard both the learned counsels, perused the FIR and documents placed on record. The allegations against the applicant are of providing Gutkha to the co-accused. While on interim relief, the applicant has cooperated in investigation. Gutkha has already been seized. Considering these facts, his custodial interrogation is not required. Hence, I pass the following order.

ORDER

- (i) Application is allowed;
- (ii) In the event of arrest, the applicant be enlarged on bail in Crime No.605 of 2025 registered with Barshi City Police Station, Dist. Solapur (Rural) on executing

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.

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

7. It is made clear that the above observations are made only for the purpose of granting anticipatory 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.

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

(SHIVKUMAR DIGE, J.)