

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

Anticipatory Bail Application No. 1337 of 2025

Rajankumar Gaurishankar Gupta

@ Munna

Age: 50 yrs, Occ: Business,

Residing at Room No.3343,

Baba galli, Shivshakti Nagar,

Turbhe Store, Navi Mumbai-400705

... Applicant

versus

The State of Maharashtra

(at the instance of Turbhe MIDC

Police Station)

...Respondent

Mr KT Thomas a/w Saurav Chhetri for the Applicant.

Mr SM Mangaonkar, APP, for Respondent / State.

API Dinesh Patil, Turbhe Police Station, New Mumbai.

Coram: R.N. Laddha, J.

Date: 25 July 2025.

P.C.:

Heard Mr KT Thomas, the learned Counsel appearing on behalf of the applicant and Mr SM Mangaonkar, the learned Additional Public Prosecutor representing respondent/ State.

2. By this application, the applicant seeks pre-arrest bail in connection with CR No.126 of 2025, registered at Turbhe MIDC Police Station, New Mumbai, for offences punishable under Sections 275, 274, 223, and 123 of the Bharatiya Nyaya

Sanhita (BNS), 2023 and Sections 27(2)(e), 26(2)(iv), 26(2)(ii) of the Food Safety and Standards Act, 2006.

3. It is the case of the prosecution that on 9 March 2025, acting upon specific information received, a raid was carried out at a pan-shop, owned by the co-accused, during which banned substances specifically gutka were found and seized. During the course of investigation, the co-accused disclosed that the contraband gutka and pan masala had been procured from the present applicant.

4. The learned Counsel appearing on behalf of the applicant, asserts the applicant's innocence and contends that the applicant has been falsely implicated in the crime. He further argues that no further recovery or discovery is required from the applicant, as the prohibited goods in question have already been seized during the raid. The learned Counsel further contends that the applicant has no direct or indirect involvement in the present case.

5. The learned Additional Public Prosecutor representing the respondent/ State, opposes the applicant's request and contends that the offence is of a serious nature, involving the sale and distribution of banned substances. Multiple transactions had taken place between the present applicant and the co-accused.

The applicant has criminal antecedent.

6. This Court has given anxious consideration to the rival contentions and perused the records, including the case diary.

7. Upon perusing the records and the case diary, it appears that the applicant has been alleged to be involved in the supply of certain goods claimed to be prohibited. It is stated that the applicant's name surfaced during the interrogation of a co-accused. However, there is no material on record to show that the co-accused ever specifically implicated the applicant in connection with the present offence. Notably, the case diary is devoid of any statement from the co-accused that could link the applicant to the alleged crime. Apart from evidence of financial or commercial transactions between the applicant and other parties, there is no substantive material on record that suggests the applicant's involvement or complicity in the present case.

8. In these circumstances, this Court is inclined to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

(i) In the event of the applicant's arrest in CR No.126 of 2025, registered at Turbhe MIDC Police Station, New Mumbai, he shall

be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant shall attend the concerned Police Station as and when required by the Investigating Officer.

(iii) The applicant, himself or through any other person, shall not tamper with the evidence or influence witnesses.

7. The application stands disposed of accordingly.

[R.N. Laddha, J.]