

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2819 OF 2025**

Sudhakar Kalyan Pansare

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Pranav Pokale a/w Chinmay Sawant and Adity Bagal, for the Applicant.

Ms. S.M. Yadav, APP, for the Respondent-State.

Mr. Rahul D. Gawde, API, Local Crime Branch, Pune Rural, present.

CORAM: MADHAV J. JAMDAR, J.

DATED : 09th OCTOBER 2025

PC:-

1. Heard Mr. Pokale, learned Counsel appearing for the Applicant and Ms. Yadav, learned APP appearing for the Respondent-State.

2. This application is preferred seeking pre-arrest bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with C.R. No. 260 of 2023 registered with Rajgad Police Station, Pune Rural for offences under Sections 188, 269, 273, 328 of the Indian Penal Code, 1860 as well as under Sections 26(2)(i), 26(2)(a), 27(3), 59(iii) of the Food Safety and Standards Act, 2006.

3. As per the prosecution case, on 24th June 2023 near Morwadi, Post Kikavi, Taluka Bhore a tempo was intercepted. Co-accused were found transporting huge quantity of contraband articles – gutkha pan masala. During the investigation it was found that the said vehicle is of the ownership of the Accused No.3 – Dinesh Pansare and of Applicant i.e. Accused No.2.

4. Perusal of the record shows that the co-accused who was allegedly the owner of the contraband articles was granted pre-arrest bail by the learned Sessions Court.

5. Perusal of the record further shows that the present Applicant alongwith Accused No.3 has filed Anticipatory Bail Application No. 2598 of 2023 and a learned Single Judge by order dated 25th September 2023 has granted interim protection. The said Anticipatory Bail Application is allowed to be withdrawn by order dated 20th September 2025 with respect to the present Applicant as antecedent has not been mentioned.

6. Learned Counsel appearing for the Applicant states that there is one antecedent bearing C.R. No. 14 of 2021 registered

with Banda Police Station, Sindhudurg in which he has been granted bail.

7. Learned Counsel appearing for the Applicant submitted that the issue regarding applicability of Section 328 of the Indian Penal Code, 1860 to similar offences is pending in the Supreme Court and other offences are bailable. Learned Counsel further submits that the Applicant has been granted pre-arrest bail since September 2023.

8. Thus, the case is made out for grant of Anticipatory Bail.

9. Accordingly, the Anticipatory Bail Application is disposed of by passing following order :-

ORDER

(a) In the event of arrest of the Applicant – Sudhakar Kalyan Pansare in C.R. No. 260 of 2023, registered with Rajgad Police Station, Pune Rural, Pune he be released on bail on his furnishing P.R. Bond in the sum of Rs.1,00,000/- with one or two solvent sureties in the like amount.

- (b) The Applicant shall attend the Rajgad Police Station, Pune Rural, Pune on 15th October 2025, 16th October 2025 and 17th October 2025 between 11:00 a.m. to 02:00 p.m. and thereafter as and when called.
- (c) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the Court.

10. The Anticipatory Bail Application is disposed of in above terms.

[MADHAV J. JAMDAR, J.]