

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

ANTICIPATORY BAIL APPLICATION NO. 3063 OF 2025

Pradeep Rajput Raidas

...Applicant

V/s.

The State of Maharashtra

...Respondent

Mr. Indraraj Yadav i/b Mr. Ravi G. Gupta, Advocate for the Applicant.

Mr. V. N. Sagare, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 13.11.2025.

P.C. :

1. This is an application for Anticipatory Bail.
2. The applicant is apprehending his arrest in Crime No. 304 of 2025 registered at Bhayandar Police Station, for the offences punishable under Sections 123, 223, 274 & 275 of the Bharatiya Nyaya Sanhita, 2023, and Sections 3(1)(zz)(iv), 59, 26(2)(v), 26(2)(i), 30(2)(e) & 27(3)(e) of the Food and Safety Standard Act, 2006.
3. On 22.09.2025, the co-accused Dipakkumar Sharma

was apprehended. It is alleged that he was found in possession of prohibited tobacco products worth Rs.63,709/-. During interrogation of the said co-accused it was revealed that the said products were belonging to the present applicant.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

5. The learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that nothing is to be recovered at the instance of the applicant and therefore there is no need of custodial interrogation. It is submitted that there are no other criminal antecedents against the present applicant.

6. On the other hand, the learned APP for the respondent-State submits that the co-accused was in contact of the present applicant. It is submitted that the said prohibited tobacco products were purchased by the applicant. It is submitted that considering the nature of crime the applicant may not be released on anticipatory bail.

7. I have perused the First Information Report. The Hon'ble Supreme Court in the case of ***Ram Nath vs. The State of Uttar Pradesh***¹ has held that offences under Indian Penal Code/Bharatiya Nyaya Sanhita and Food and Safety Standards Act cannot be invoked together. There are no other criminal antecedents against the applicant. There appears to be no need of custodial interrogation. In that view of the matter, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed :

ORDER

- a) The Application is allowed.
- b) In the event of arrest of the applicant in connection with Crime No. 304 of 2025 registered at Bhayandar Police Station, for the offences punishable under Sections 123, 223, 274 & 275 of the Bharatiya Nyaya Sanhita, 2023, and Sections 3(1)(zz)(iv), 59, 26(2)(v), 26(2)(i), 30(2)(e) & 27(3) (e) of the Food and Safety Standard Act, 2006, the

¹ Criminal Appeal No.472 of 2012 with connected appeals decided on 21st February 2024.
Pramod S.Lakare

applicant be released on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

c) The applicant shall attend the concerned police station as and when called by the investigating officer and shall co-operate in the investigation.

[N.R.BORKAR, J.]