



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 309 OF 2025

Sayed Shibani s/o Syed Ali Ahmed Vs State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. N.R. Tekade, counsel for applicant.

Mr. N.B. Jawade, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 10/06/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No.132/2025 registered with Police Station Deori, District Gondia for the offences punishable under Sections 26(2)(i), 26(2)(iv), 27(3)(e) and 3(1)(zz) (iv) of the Food Safety and Standards Act, 2006 and Sections 59, 123, 223, 274 and 275 of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of anticipatory bail.

2. Heard learned counsel for the applicant, who submitted that the applicant is apprehending arrest at the hands of police, as the driver who was working on his truck was found and transporting the contraband articles i.e. pan masala and scented tobacco, and therefore the applicant is arraigned as an accused. He submitted that he is the owner of the truck bearing No. CG-04/PP-8340 and he has given the said truck on rent to the Rokde Transport. Two offences are registered against the Rokde Transport. As far as the

driver of the truck is concerned, who has used the said truck without his consent and found transporting the contraband articles. The applicant was not having knowledge about the same. As far as custodial interrogation of the present applicant is concerned, which is not required. In view of that, he be protected by granting anticipatory bail.

3. The learned APP strongly opposed the said application and submitted that the truck which was found transporting the contraband articles is owned by the present applicant, and therefore, the prayer for grant of anticipatory bail deserves to be rejected.

4. On hearing both sides and on perusal of the recitals of the FIR, it reveals that it was the driver who was found transporting the contraband articles. As far as the knowledge of the present applicant as to the transporting of the contraband articles by the driver, nothing is brought on record. Thus, considering these aspects and considering the fact that no criminal antecedents are there. As far as the present applicant is concerned, his prayer for grant of anticipatory bail deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- a] The criminal application is allowed.
- b] The ad-interim protection granted to the present applicant by order dated 06/05/2025 is hereby confirmed on a condition that he shall

attend the concerned police station once in a week on every Thursday between 10.00 a.m. to 1.00 p.m., till filing of the charge-sheet and shall co-operate with the Investigating Agency.

- c] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]