



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

CRIMINAL APPLICATION (ABA) NO.348 OF 2025

Ravi s/o Mohanlal Khatwani

Vs.

State of Maharashtra, through Police Station Officer, Desaiganj,
District Gadchiroli

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. K. S. Motwani, Counsel for the applicant.

Mr. Ganesh Umale, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 24/06/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.188/2025 for the offence punishable under Sections 123, 223, 274, 275 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 26(2)(i), 26(2)(iv), 27(3)(e), 3(1)(zz)(iv) and 59 of the Food Safety and Standard Act, 2006, the applicant approached this Court for grant of anticipatory bail.

2. As the secret information was received by the informant, and therefore, he conducted the raid and the vehicle bearing No.MH-15-BN.5689 was intercepted and the contraband articles were seized from the said vehicle. As per the allegation, the present applicant is the owner of the said vehicle and the prohibited material was seized from the said

vehicle and the involvement of the present applicant reveals on the basis of the statement of the co-accused.

3. Heard learned Counsel for the applicant who submitted that the applicant was not apprehended at the spot. Only on the basis of the information given by the co-accused his name is included in the FIR and considering the same, he is protected by granting ad-interim protection. Now the entire stock is already recovered therefore, the custodial interrogation of the applicant is not required.

4. Learned APP strongly opposed the said application on the ground that there are criminal antecedents and the similar nature of the crime is registered against him. If he is released on bail, there is every likelihood of involving himself in similar types of the activities. In view of that the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it reveals that the involvement of the present applicant is only on the basis of the statement of the co-accused. A mere criminal antecedent is not sufficient to reject the application of the bail, but considering that the criminal antecedent is there, condition can be

imposed. In view of that I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) The interim protection granted to the present applicant by order dated 16.05.2025 is hereby confirmed on the condition that the applicant shall attend the concerned Police Station once in a week on Wednesday between 10.00 am to 01.00 pm till filing of charge-sheet and shall cooperate with the investigating agency.
- (iii) The applicant shall not indulge himself in similar types of the activities. A single registration of the offence would lead to the cancellation of bail.
- (iv) The applicant shall not induce, threat or promise to any witnesses who are acquainted with the facts of the case.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)