



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

CRIMINAL APPLICATION (ABA) NO. 833 OF 2024

Anita Mangal Rathod 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. Abdul Subhan, counsel for the applicant.

Mr. S.S. Dhote, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 29/01/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No.641/2024 registered with Police Station Mahagaon, District Yavatmal for the offences punishable under Sections 3 and 7 of the Essential Commodities Act, 1955 and 3(5) and 316(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned counsel for the applicant, who submitted that the applicant is running a fair price shop and crime is registered against her. On the basis of report lodged by Mohan Kolhe alleging that she has not distributed the food grains, though quota is allotted to her and thereby committed an offence. He submitted that as far as the custodial interrogation is concerned, which is not required as the entire goods are already seized.

3. Per contra, learned APP strongly opposed the said application and submitted that the applicant has not

distributed the food grains which are reserved for the poor strata of society and committed the offence of misappropriation and various irregularities, and therefore, her custodial interrogation is required.

4. After hearing both sides and on perusal of the investigation papers, it reveals that the goods are already seized. As far as the custodial interrogation is concerned, which is not required, and the part of the interrogation can be taken care of by imposing certain conditions on the applicants, in view of that, I proceed to pass the following order.

- a] The criminal application is allowed.
- b] In the event of the arrest, the applicant - Anita Mangal Rathod in connection with Crime No.641/2024 registered with Police Station Mahagaon, District Yavatmal for the offences punishable under Sections 3 and 7 of the Essential Commodities Act, 1955 and 3(5) and 316(5) of the Bharatiya Nyaya Sanhita, 2023, be released on anticipatory bail on executing P.R. bond of Rs.25,000/- with one solvent surety in the like amount.
- c] The applicant shall attend the concerned police station as and when required for the investigation purpose and shall cooperate with the investigating agency.

- d] 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.
5. The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]