



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

CRIMINAL APPLICATION(BA) NO. 1263 OF 2025

Jitendra Chandrabhan Gohate Vs. State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.U.Y.Konkusare, counsel for the applicant.
Mr.Ashish Kadukar, APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 09/12/2025

1. This is an application filed by the applicant for grant of bail in connection with Crime No.599 of 2025 for the offence punishable under Sections 123, 223, 274, 275, 3(5) of Bharatiya Nyaya Sanhita read with Sections 26(1)(2) (iv), 27(3)(e), 30(2)(a), 3(1)(zz)(iv) and 59 of the Food Safety and Standard Act, 2006.

2. On receiving the secret information that the huge quantity of contraband articles i.e. scented tobacco was been transported. Accordingly, the non-applicant intercepted the vehicle No.MH-40-BL-6941 between 3:50 am to 4:40 am on 10.10.2025. On being asked by the Non-Applicant, the present applicant gave evasive answers and informed that,

the said Truck was transporting Vegetables. On the search of the vehicle, the contraband article i.e. packets of scented tobacco was found hidden behind the vegetables. The Non-Applicant then conducted the spot and seizure panchanama and it was found that, the applicant was transporting about 178.285 kg of scented tobacco worth Rs.2,35,751/- .

3. The learned counsel for the applicant has stated that the tobacco is seized, the applicant is the driver of the said truck, he is not the owner of the said truck and he was not in possession of the said scented tobacco. As the tobacco is seized further custody of this applicant is not necessary, hence prayed to release him on bail.

4. The learned APP has opposed the application stating that, though he is truck driver, he was carrying the said tobacco and it was concealed under the vegetables. Considering the act of the applicant prayed to reject the application.

5. Heard both the sides and perused the record.

6. Raid was conducted and the vehicle was found which was driven by this applicant. This applicant was taken in custody on the spot. Scented tobacco is seized, the vehicle is also seized. Considering the nature of the offence and as

nothing is to be recovered, the application needs to be allowed. Hence the following order

- i) Criminal application is allowed.
- ii) Applicant- Jitendra Chandrabhan Gohane be released on bail in connection with crime No.599 of 2025 for the offence punishable under Sections 123, 223, 274, 275, 3(5) of Bharatiya Nyaya Sanhita and Section 26(1)(2) (iv), 27(3)(e), 30(2)(a), 3(1)(zz)(iv) and 59 of the Food Safety and Standard Act, 2006 on his furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount.
- iii] The applicant shall not in any way tamper with the prosecution evidence.
- iv] The applicant shall not pressurize or threaten the prosecution witnesses.
- v] The applicant shall co-operate the investigation officer.

7. The Criminal Application stands **disposed of** accordingly.

8. Pending application/s if any, is/are stand/s disposed of.

JUDGE