



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

CRIMINAL APPLICATION (ABA) NO. 568 OF 2025

(Vaibhav Sunil Bhoge

Vs.

State of Maharashtra, Thr. PSO, Police Station Murtizapur (City),
Tq. Murtizapur, Dist. Akola.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. A.M. Jaltare, Advocate for the Applicant.
Mr. M.J. Khan, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 20th AUGUST, 2025

1. Apprehending the arrest at the hands of Police in connection with Crime No.286/2025 registered with Police Station Murtizapur, District Akola for the offences punishable under Sections 318(4) of the Bharatiya Nyaya Sanhita, Rules 7, 8, 9, 10, 11, 12, 13 and 14 of the Seeds Rules, 1968, Sections 3, 4, 8 and 18 of the Seeds (Control) Order, 1983 and Sections 7 and 8 of the Environment Protection Act, 1986 and Sections 3 and 7 of the Essential Commodities Act, 1955, the Applicant approached this Court for grant of pre-arrest bail.

2. Heard learned Counsel for the Applicant, who submitted that the crime is registered on the basis of the report lodged by Vitthal Rambhau Gore, Taluka Agriculture Officer on an allegation that on receipt of the information that

some persons are unloading the stock of seeds in front of Hotel Vyas. He conducted the raid and it revealed to him that prohibited seeds are obtained by the present Applicant and the other co-accused. On the basis of the said report, Police have registered the crime against the present Applicant.

3. He submitted that, one vehicle was intercepted by the investigating agency and the said vehicle is in the name of the other co-accused who is already released on anticipatory bail. As far as the present Applicant is concerned, he is neither the owner of the vehicle and he has not brought the said articles. His custodial interrogation is not required as he has already attended the concerned Police Station and cooperated with the investigating agency.

4. Learned APP strongly opposed the Application and submitted that his custodial interrogation is required for interrogating the accused as to the procurement of the said prohibited seeds. He further submitted that, the TI parade of the present Applicant is to be held as he fled away from the spot of incident, and therefore, the Application deserves to be rejected.

5. On hearing both the sides and on perusal of the recitals of the FIR, admittedly, the vehicle is not in the name of the present Applicant, the other co-accused is the owner of the said vehicle which was intercepted and he is already released on anticipatory bail. The present Applicant has already attended the concerned Police Station and there is no complaint of non-cooperation on behalf of the present

Applicant. In view of that, the Application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- i. The Application is **allowed**.
 - ii. The *ad interim* protection granted to the Applicant by order dated 01.08.2025, is hereby confirmed on the condition that, he shall attend the concerned Police Station once in a week i.e. on every Tuesday between 10.00 a.m. to 01.00 p.m. till filing of the charge-sheet and shall cooperate with the investigating agency.
 - iii. 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.
 - iv. The Applicant shall not indulge himself in similar type of activities and a single offence registered against him would lead to cancellation of bail.
6. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)