

N.S.Kamble

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 724 OF 2026

Abhishek S/o Nandkumar Deshmukh

...Applicant

VERSUS

The State Of Maharashtra

...Respondent

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 Mr.Amit Band, for the Applicant.

Mr.M.G. Patil, APP for Respondent-State.

Mr.K.N. Sangle, PSI, Khalapur Police Station, District-Raigad.

 CORAM : SHIVKUMAR DIGE, J.
DATE : 15th JUNE 2026**P.C. :**

1. The Applicant is apprehending arrest, in connection with investigation of Crime No.19 of 2026 registered with Khalapur, District-Raigad, for the offences punishable under Sections 123,223,274 and 275 of the Bharatiya Nyaya Sanhita, 2023 ('BNS' for short) read with Sections 26(2)(i), 26(2)(iv), 30(2)(a), 3(1)(zz)(iv) and 59 of the Food Safety and Standards Act, 20026.

2. It is prosecution's case that on 16th June 2025, when First Informant/Food and Safety Inspector and her team took search of container truck standing on express way. They found tobacco in the said container truck. It is alleged that the said container truck belongs to the Applicant.

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3. It is contention of learned counsel for the Applicant that the Applicant had sold the said container truck to one Mr. Sheikh Rashid Sheikh Rahman-Accused No.1 by notarized agreement dated 15th December 2025. He was not aware about transportation of the tobacco in the said container. The Applicant has no antecedents and requested to allow the Application.

4. It is contention of learned APP that the container in which the tobacco was being transported belongs to the Applicant. Hence, his custodial interrogation is required and requested to reject the Application.

5. I have heard both learned counsel. Perused FIR and documents produced on record.

6. The documents on record shows that the said container was transferred in the name of Accused No.1. Whether the container was transferred in the name of the Accused No.1 or not, is part of trial. At this stage, the custodial interrogation of the Applicant is not required as Accused no.1 is arrested along with seized tobacco.

7. Considering these facts, custodial interrogation of the Applicant is not required and I pass following order.

ORDER

(i) The Application is allowed.

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- (ii) In the event of his arrest in connection with investigation of Crime No.19 of 2026 registered with Khalapur, District-Raigad, the applicant shall be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- or with one or two solvent sureties in the like amount.
- (iii) The applicant shall attend the concerned Police Station as and when required.
- (iv) The applicant shall co-operate with the Investigating Agency and shall not tamper with the prosecution witnesses/evidence.
- (v) The Application is disposed of in the above terms.
- (vi) All pending Applications are disposed of.

(SHIVKUMAR DIGE, J.)