



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

CRIMINAL APPLICATION (ABA) NO. 64 OF 2026

(Rajesh s/o Asharam Khatik Vs. State of Maharashtra)

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

Court's or Judge's orders.

Mr. S.A. Mohta, Advocate for applicant.

Mr. C.A. Lokhande, APP for non-applicant/State.

CORAM : M.W. CHANDWANI, J.

DATE : 04.03.2026.

Heard.

2. The applicant is seeking anticipatory bail in connection with Crime No. 1083/2025, registered with Police Station Pandharkawada, District Yavatmal, for the offence punishable under Sections 26(2), 27(3), 30(2)(a), 59 of the Food Safety and Standards Act, 2006 and Sections 123, 223, 274 and 275 of the Bharatiya Nyaya Sanhita, 2023.

3. It appears that a truck bearing registration No. UP-94-AT-2305 was intercepted wherein, large quantity of prohibited scented tobacco was found. The cleaner and the driver of the truck were arrested. So also, prohibited food articles were seized. On the complaint of the Food Safety Officer, the aforesaid offences came to be registered. It further appears that during the course of investigation, it was revealed that the applicant is the owner of the truck and therefore, he has been implicated in this crime.

4. The contention is that the applicant was not present on the spot when the raid was conducted. The only allegation against the applicant is that he is owner of the truck. Since, the contraband articles are already seized, nothing is required to be seized from the present applicant and hence, custodial interrogation of the applicant may not be required.

5. Considering the nature of allegations, as well as the facts considered above, a case is made out for confirmation of the ad interim protection granted to the applicant vide order dated 5.2.2026.

6. The ad interim protection granted on 5.2.2026 is hereby confirmed on the same terms and conditions.

Accordingly, the application is allowed and disposed of.

JUDGE

Belkhede