

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

CRIMINAL APPLICATION (ABA) NO. 80 OF 2026
Kamlesh Chotelal Vanvasi Vs. State of Maharashtra

WITH
CRIMINAL APPLICATION (ABA) NO. 82 OF 2026
Vinod Kumar S/o. Ram Bahadur Vs. State of Maharashtra

WITH
CRIMINAL APPLICATION (ABA) NO. 85 OF 2026
Kamal Mahesh Kumar Chotiya and another 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

Shri S. A. Mohta, Advocate for applicant.
Shri S. B. Bissa, APP for non-applicant/State (In ABA No. 85/2026)
Shri N. S. Autkar, APP for non-applicant/State (In ABA No. 82/2026)
Ms. Harshada Prabhu, APP for non-applicant/State (In ABA No. 80/2026)

CORAM :- M. W. CHANDWANI, J.

DATED :- 05.02.2026

Heard.

2. Issue notice to the non-applicant/s, returnable on 16/02/2026.
3. Shri S. B. Bissa, learned APP waives notice in ABA No. 85/2026, Shri N. S. Autkar, learned APP waives notice in ABA No. 82/2026 and Ms. Harshada Prabhu, learned APP waives notice in ABA No. 80/2026 for the non-applicant/State.
4. The applicants are seeking anticipatory bail in the crime arising out of the same First Information

Report (FIR). Hence, these applications are taken together for hearing.

5. The applicants are seeking anticipatory bail in connection with Crime No. 5/2026 registered with Police Station Wadner, Dist. Wardha for the offences punishable under Section 26(1), 26(2)(iv), 27(3)(e), 3, 30(2)(a), 59 of the Food Safety and Standards Act, 2006 and Sections 123, 223, 274, 275, 3(5) of the Bhartiya Nyaya Sanhita, 2023.

6. The contention of the learned counsel for the applicants is that the applicant- Kamlesh Vanvasi (ABA No. 80/2026) and Vinod Kumar Yadav (ABA No. 82/2026) are the cleaner and driver respectively, of the Container bearing registration No. GJ-27-TD-9916. Whereas, applicant- Kamal Chotiya is the seller and applicant- Kuldeep Bhardra (ABA No. 85/2026) is the buyer of the contraband scented tobacco respectively which were transported in the Container. The further contention is that the said Container carrying contraband scented tobacco has already been seized. Rather, the driver and cleaner of the said Container were allowed to go. According to him, till the applications are heard on merits, the applicants can be protected by way of *ad-interim* relief.

7. The learned APP objected the request for grant of *ad-interim* protection on the ground that huge quantity of contraband scented tobacco is involved. The

driver and cleaner of the said Truck did not turn up to the Police Station and have not co-operated in the investigation. Therefore, he objected to the applications.

8. Perusal of the FIR reveals that the contraband scented tobacco was seized by the Police by intercepting the Container which was driven by Vinod Kumar Yadav along with the cleaner- Kamlesh Vanvasi, whereas the other applicants are the seller and the purchaser of the contraband. Since, the contraband has already been seized, *prima facie* a case is made out for grant of *ad-interim* anticipatory bail to the applicants till the matter is decided on merits after perusing the case-diary, which is not available today. Hence, the following order:-

i) Pending the application, in the event of arrest applicants- Kamlesh Chotelal Vanvasi, Vinod Kumar S/o. Ram Bahadur Yadav, Kamal Mahesh Kumar Chotiya and Kuldeep S/o. Mala Ram Bhardra be released on bail on furnishing a P.R. bond of Rs.25,000/- each with one surety each in the like amount in connection with Crime No. 5/2026 registered with Police Station Wadner, Dist. Wardha for the offences punishable under Section 26(1), 26(2)(iv), 27(3)(e), 3, 30(2)(a), 59 of the Food Safety and Standards Act, 2006 and Sections 123, 223, 274, 275, 3(5) of the Bhartiya Nyaya Sanhita, 2023.

ii) The applicants shall attend the concerned Police Station on every Tuesday and Friday for next two

weeks between 10:00 am to 12 noon and shall co-operate in the investigation.

(M. W. CHANDWANI, J.)