



**ORDER BELOW EXH-3 IN ANTICIPATORY BAIL APPLICATION**  
**NO.1925/2022**  
**(CNR NO.MH06-0035472022)**

1] The Applicant viz.Nandu @ Nandadulal Anil Sahoo, is having apprehension that he may be arrested in C.R. No.300/2022 registered with Vitthalwadi Police Station under Section 328, 188, 272 273, and 34 of the Indian Penal Code and under Section 26 (2) (I), 26 (2) (iv), 27(1), 30 (2) (a) and 59 of Food Safety and Standards Act. Hence, he is seeking direction for grant of interim bail in the event of his arrest in said crime, till final decision of main application.

2] I have heard Ld. Counsel for the applicant. Perused the copy of FIR.

3] Brief facts of the case are such that the informant is Food Safety Officer and to implement the provisions of Food Safety and Standards Act and the notification issued by Maharashtra State Government, prohibiting Gutka, Pan Masala and other tobacco articles. The informant conducted raid at Janta Pan Shop on 15.09.2022 at 12.30. Co-accused Gautam Salim Sahu was in occupation of the Pan shop and upon taking search of the pan shop, the prohibited articles like Gutka and Pan Masala worth Rs.2256/- were found. Hence, these articles came to be seized and co-accused came to be arrested.

4] As per the applicant, he has no concern with the possession of these articles. He was also not found on the spot and his name is also not mentioned in the FIR. Still, the police machinery is trying to implicate him in this crime. His physical custody is not required as the contraband is already seized. He shown readiness to cooperate with investigation and to abide each and every condition.

5] Considering this aspect, I deem it fit to pass following order:-

**ORDER**

1. Application is allowed.
2. In the event of arrest of applicant Nandu @ Nandadulal Anil Sahoo, in connection with C.R. No.300/2022 registered with Vitthalwadi Police Station, he be released on bail on his furnishing PR and SB of Rs.15,000/-, till final decision of main application on following condition:
  - a] The applicant shall attend police station Vitthalwadi as and when required and shall cooperate with investigation.
  - b] The applicant shall not pressurise any witness nor shall tamper with evidence in any manner.
  - c] The applicant shall remain present before this court at the time of final hearing of this bail application.
3. The concerned police station be informed accordingly.
4. Issue notice to prosecution. R/o.21/10/2022

Kalyan  
Dt.:- 12.10.2022

(R. G. Waghmare)  
Additional Sessions Judge, Kalyan.