

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/CRIMINAL MISC.APPLICATION NO. 15351 of 2023**

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PRADIPSINH RANJITSINH CHAUHAN  
Versus  
STATE OF GUJARAT

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Appearance:

MR VIRAT G POPAT(3710) for the Applicant(s) No. 1

MR LB DABHI, APP for the Respondent(s) No. 1

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**CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**

**Date : 31/08/2023****ORAL ORDER**

RULE. Learned APP waives service of notice of Rule on behalf of the respondent – State.

Heard learned advocates appearing for the respective parties.

By way of the present application under Section 438 of the Code of Criminal Procedure, 1973, the applicant accused has prayed to release him on anticipatory bail in the event of his arrest in connection with the FIR being **C.R. No.11208037230418 of 2023** registered with **Kuvavda Police Station, District Rajkot** for the offences punishable under Sections 285, 286, 114 and 120(B) of the Indian Penal Code, 1860 and Section 3, 7, 8 and 10 of Essential Commodities Act, 1955 and Section 9(B)(i)(b) of the Explosives Act, 1984.

The offences alleged are punishable with maximum

imprisonment upto 7 years and hence, in view of the law laid down by the Hon'ble Supreme Court in the case of **Arnesh Kumar v. State of Bihar** reported in **(2014)8 SCC 273**; **Satender Kumar Antil v. Central Bureau of Investigation & Anr.** reported in **(2022)10 SCC 51** and **Md. Asfak Alam vs. State of Jharkhand and Another** reported in **2023 SCC OnLine SC 892**, the police authority shall have to scrupulously follow the directions given by the Hon'ble Supreme Court and the mandate of Section 41A of the Code of Criminal Procedure, 1973.

With the aforesaid directions, present application stands disposed of. Rule is hereby discharged. Direct service is permitted. However, it is clarified that this Court has not gone into the merits of the case.

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**(HASMUKH D. SUTHAR,J)**