

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.4201 OF 2015

1. Vishnu s/o Sonaji Bhusare,
Age 30 years, Occu. Agri.,
2. Arun s/o Sonaji Bhusare,
Age 35 years, Occu. Labour

Both R/o Kirtapur, Taluka Mantha,
District Jalna

..Applicants

Versus

- The State of Maharashtra,
Through Investigation Officer,
Police Station, Mantha,
Taluka Mantha, Dist. Jalna

..Respondent

Mr R.J. Nirmal, Advocate for applicants
Mr S.R. Palnitkar, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 21st August 2015

PER COURT

This is an application for grant of pre-arrest bail.

1. The case of the prosecution is as under :
2. An offence came to be registered under Sections 228 read with Sec.34 of the Indian Penal Code with Section 65(A) (E) and (F) of the Bombay Prohibition Act. The names of applicants are specifically mentioned in the F.I.R. The prosecution alleged that the applicants were involved in the matter of manufacture of illicit liquor and during the raid, enough material was seized in presence of present applicants. When the panchnama was drawn the applicants ran away from the spot.

3. The learned Counsel for the applicants submits that the applicants are entitled for bail as they are no way concerned with the matter, as the seizure which was effected from the property, of which there are various owners including the present applicants. He would further urge that the applicants were never present on the spot and accusations against them of running away from the spot required are false.

4. Having considered the submissions of the learned Counsel for the applicants and learned A.P.P., it is noted that the names of the applicants are specifically mentioned in the F.I.R. There is mention about the applicants having ran away from the spot of commission of offence. There is a recovery of material which was used for preparing illegal brew from the place which is admittedly owned by the present applicants.

5. In view thereof, no case for grant of pre-arrest bail is made out. The applications stands rejected.

6. Upon request of learned Counsel for the applicants, the interim protection ordered by this Court on 7th August 2015 is continued for a period of three weeks from today.

(N.W. SAMBRE, J.)

vvr