

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

CRIMINAL APPLICATION (ABA) NO.101 OF 2016

(Rajendrasingh Rajwantsingh Bahelim ..vs.. State of Maharashtra, through PSO, Ghugus, District Chandrapur)

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.
DATED : 22-02-2016

Heard Shri S.V. Sirpurkar, learned Advocate for the applicant and Shri T.A. Mirza, learned Additional Public Prosecutor for the non-applicant.

2. This is an application seeking pre-arrest bail in crime registered against the applicant for the offence punishable under Section 65 (e) of the Maharashtra Prohibition Act. The learned Advocate for the applicant submits that the only allegation against the applicant is that the stock of liquor is seized from the vehicle owned by the applicant. It is submitted that the applicant was not present at the time of commission of offence and there is nothing on the record to show that the liquor was in conscious possession of the applicant, which is the requirement of Section 65 of the Maharashtra Prohibition Act.

3. The State Government has imposed ban on sale of liquor in Chandrapur District. *Prima facie* material on

record shows that the vehicle carrying liquor belongs to the applicant. In these facts, I am not inclined to consider the prayer of the applicant. The application is rejected.

JUDGE

pma