IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 132 OF 2016
(SUNDARSINGH VYANKATRAO SABLE...VS..STATE OF MAH. THR. PSO PS CHAMORSHI, DIST. GADCHIROLI)

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 : MARCH 22, 2016.

Heard Shri Shashibhushan Wahane, advocate for the applicant and Shri N.B.Jawade, APP for the non-applicant.

The applicant is seeking pre-arrest bail apprehending arrest in the crime registered against him for the offence punishable under Section 65(E) of the Maharashtra Prohibition Act.

The accusations against the applicant are that on receiving information, the Raiding Party intercepted the two wheeler driven by the applicant and on being searched, foreign liquor bottles were seized from his person and also from his house. The application is opposed on the ground that the applicant is involved in the offence punishable under Section 65 of the Maharashtra Prohibition Act earlier also and in that matter the investigation could not be made because the accused is absconding.

This Court granted interim protection by the order dated 4th March, 2016 and directed the applicant to

attend Police Station, Chamorshi, District : Gadchiroli on each Monday and Friday. In these circumstances, it is not understood as to how the non-applicant is alleging that the applicant is absconding. The learned A.P.P. has submitted that the affidavit with the statement that the applicant is absconding was prepared on 22nd February, 2016 i.e. prior to interim order dated 4th March, 2016.

Be that as it may, considering the facts on record and as the non-applicant has not been able to show that the custody of the applicant is required for further investigation, the interim order passed by this Court on 4th March, 2016 is required to be confirmed.

Hence, the following order :

In the event of arrest in Crime No.6014 of 2016 registered by the non-applicant, the applicant be released on bail on furnishing P.R. bond for Rs.Twenty Thousand.

The application is **allowed** in the above terms.

JUDGE

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