

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

CRIMINAL APPLICATION (ABA) NO. 696 OF 2016

(Sanjay s/o Chetuji Uikey ..vs.. State of Maharashtra, through Excise Office, Amravati)

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

Court's or Judge's orders

Shri N.P. Singhania, Advocate for the applicant,
Shri A.M. Deshpande, Addl.P.P. for the non-applicant.

CORAM : P.N. DESHMUKH, J.
DATED : 29-11-2016

Heard learned Counsel for both the parties.

2. This is an application for grant of anticipatory bail by the accused involved in Crime No.58/2016 registered under Sections 65(e) and 108 Maharashtra Prohibition Act contending that he is poor labour having no criminal antecedent and he is falsely implicated in this case.

Case of the prosecution is that based on the information received that some liquor is likely to be transported from Madhya Pradesh to village Chikhaldara, trap was laid and from one Mahindra Max vehicle contraband liquor came to be seized. Admittedly, neither the applicant was occupying said vehicle nor he was driver of the said vehicle. Involvement of the applicant appears to be only on the basis of parking of said Mahindra Max vehicle,, in front of his house wherein contraband liquor was stored and

ultimately seized.

3. In that view of the matter and as the applicant was already protected by the interim bail before arrest and has attended the Investigating Officer, interim order passed is liable to be confirmed on same terms and conditions and as is further directed to attend the Investigating Officer, if called, till filing of the charge-sheet.

The criminal application is accordingly allowed in above terms.

JUDGE

adgokar