

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2911 OF 2017

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|----|---------------------------------|----------------|
| 1. | Rahul s/o Balu Fulare | ... Applicants |
| | Age 30 years, Occu: Labourer | |
| 2. | Pradip s/o Balu Fulare | |
| | Age 30 years, Occu: Labourer | |
| | Both r/o Gondhawani, Ward No.1, | |
| | Shrirampur, Tq. Shrirampur, | |
| | District Ahmednagar | |

VERSUS

The State of Maharashtra ... Respondent
Through the Police Inspector,
Shrirampur City Police Station,
District Ahmednagar

Mr. Rahul R. Karpe, Advocate for the applicants
Mr. A. D. Namde, APP for the State.

CORAM : K. L. WADANE, J.

DATE : 22nd June, 2017

ORDER:

1. Heard Mr. Karpe, learned counsel for the applicants and Mr. Namde, learned APP for the State.
2. Present Criminal Application is filed under section 438 of the Code of Criminal Procedure for grant of anticipatory bail in connection with Crime No. III-74/2017, registered with- Shrirampur City Police Station, District Ahmednagar for the offences punishable under sections 65(e) and 83 of the Bombay

Prohibition Act.

3. One Shankar Choudhari, Police Constable lodged a complaint with the Shrirampur City Police station alleging that on 12/06/2017, when he was on duty in the police station, it was informed that police have received secret information that the present applicants are dealing with the business of selling of liquor unauthorizedly. On receipt of such information, Police and Panch witnesses rushed to the place behind Hotel Poonam, where two to four persons were standing. After noticing arrival of police officials, the said persons have started running away. Police caught-hold one person namely Kashinath Vitekar. During the search, he was found in possession of 45 bottles of whiskey, worth Rs.16,200/-. Accordingly, that liquor bottles were seized. During the investigation, it revealed that the persons who ran away were the present applicants.

4. Considering the fact that Muddemal is already seized at the instance of another accused and practically, investigation is over, custodial interrogation of the present applicants is not necessary. In such circumstances the applicant can be protected from being arrested by putting certain

conditions. Hence following order:

O R D E R

- i. In the event of arrest of the applicants in connection with Crime No. III-74/2017, registered with- Shrirampur City Police Station, District Ahmednagar, they shall be released on bail on their executing P.R. Bond of Rs. 5,000/- [Rs. Five thousand only] each, with one solvent surety in the like amount.
- ii. The applicants shall attend Shrirampur City Police Station, District Ahmednagar once in a month i.e. on Monday between 12.00 noon to 2.00 p.m. till filing of the charge-sheet.
- iii. Criminal application disposed of.

(K. L. WADANE, J.)

JPC