

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

CRIMINAL APPLICATION (ABA) NO.34 OF 2017
(Purushottam s/o Krishtayya Janjaral vs. State of Maharashtra)

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

Shri M.V. Rai, Advocate for applicant.

Shri H.R. Dhumale, Additional Public Prosecutor for
respondent.

CORAM : P.N. DESHMUKH, J.

DATED : MARCH 9, 2017

This is an application for grant of anticipatory bail in Crime No.657/2016 registered under Section 65(e) of the Maharashtra Prohibition Act.

Shri Rai, learned Counsel for applicant, has submitted that applicant is apprehending his arrest in this crime as according to case of prosecution, based on the information received by Police, raid was conducted in front of house of applicant and from open space below heap of sand, three bottles of contraband liquor came to be seized. It is contended that there is no recovery from the possession of applicant and, therefore, application may be allowed.

From the say of prosecution it is noted that on 31/12/2016 based on the information, when raid was conducted in front of house of applicant, from open space, liquor as aforesaid came to be seized.

In that view of the matter, there is nothing to connect the applicant with the present crime except for

his having indulged in similar offences earlier. In the circumstances, application needs to be allowed by imposing suitable conditions as per order below :

Interim order dated 20/1/2017 passed by this Court stands confirmed on the same terms and conditions with further direction to applicant to attend Investigating Officer, if called, till filing of charge-sheet. Till filing of charge-sheet in the present crime, applicant shall not stay within the territorial jurisdiction of Rajura Police Station except for attending the Investigating Officer, if called, as aforesaid.

The criminal application is accordingly allowed.

JUDGE

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