

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

Criminal Application (ABA) NO.329 of 2017

APPLICANT:-

Rohan Randhir Kanjar.

VERSUS

NON-APPLICANT:-

The State of Maharashtra,

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

Court's or Judge's orders.

Shri. N. R. Patil, Addl. Public Prosecutor for State.
Shri M. N. Ali Adv. for Applicant.

CORAM : A. S. Chandurkar, J.

DATE : 23.05.2017.

1. By the present application filed under Section 438 of Criminal Procedure Code, the applicant seeks protection from his arrest with regard to Crime No. 738/2017 registered at Police Station Ramnagar, Dist. Chandrapur.

2. On the basis of information received, raid was conducted at the premises of one Altaf Sheikh in which illegal foreign liquor worth Rs. 1,80,000/- was seized. On that basis, crime came to be registered under Sections 65(E), 83 of Maharashtra Prohibition Act read with Section 188 of Indian Penal Code.

3. It is submitted on behalf of the applicant that only on the statement of Altaf Sheikh, the present applicant has been implicated. Reference is made to the report dated 29.04.2017 to indicate absence of applicant named therein. The reliance is also placed on order passed in Criminal Application No. 684/2016 in which relief was granted in somewhat similar circumstances.

4. The application is opposed. The learned Additional Public Prosecutor by filing reply, it is stated that the applicant was involved in earlier offence and hence his involvement in the present crime is also possible.

5. Perused the police papers. The material on record indicates that the raid was conducted at the premises of accused No. 1, Altaf Sheikh. On the basis of his statement, the present Applicant has been implicated. In criminal application No. 684/2016, the accused therein were released on the ground that they were implicated similarly on the basis of statement of co-accused.

6. Considering material on record, the case for grant of protection has been out. In the event of the applicants arrest in Crime No. 738/2017 registered at Ramnagar Police Station under Sections 65(E), 83 of Maharashtra Prohibition Act read with Section 188 of

Indian Penal Code, the applicant shall be released on furnishing P.R. Bond of Rs. 25,000/- with one solvent surety.

He shall attend concerned Police Station on every Monday between 11.00 am to 01.00 pm and as per directions of the Investigating Officer till filing of charge-sheet.

No steps shall be taken to influence the prosecution witnesses.

Application is allowed in aforesaid terms and disposed of.

JUDGE