

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

CRIMINAL APPLICATION (ABA) NO.370/2017

Nasib Khan Arif Khan and another

..Vs..

The State of Maharashtra, through Police Inspector Police Station Ramnagar,
Tah. and Distt. Chandrapur

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

Court's or Judge's orders

Shri J.S. Chilotra, Adv. for the applicants.
Shri T.A. Mirza, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 13.6.2017.

Heard.

The applicants apprehending arrest in crime registered against them for the offence punishable under Sections 65(e) and Section 83 of the Maharashtra Prohibition Act have sought pre-arrest bail. According to the investigating agency, liquor worth Rs.40,800/- is seized from co-accused Vilas @ Bandu Zade and during investigation he revealed that it belongs to the present applicants. According to the investigating agency, the liquor was for sale in Chandrapur where the sale of liquor is prohibited.

The application is opposed principally on the ground that the applicants are habitual offenders and three other crimes are registered against them.

The learned Advocate for the applicants has submitted that Vilas @ Bandu Zade is released on bail. It is further argued that the investigating agency has not made any complaint that the applicants are not co-operating. Considering the nature of accusations against the applicants and the facts on the record, in my view, the applicants are entitled for pre-arrest bail on conditions as imposed by this order.

(i) In the event of arrest in Crime No.513/2017 registered by the non-applicant, the applicants be released on bail on furnishing cash security of Rs.50,000/- (Rs. Fifty Thousand Only) each and one solvent surety in the like amount for each of the applicant.

(ii) The applicants shall attend the police station Ramnagar, Tah. and Distt. Chandrapur on every Monday between 10 a.m. to 1 p.m. till the charge-sheet is filed.

(iii) The application is **allowed** in the above terms.

JUDGE