

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

CRIMINAL APPLICATION (ABA) NO.453/2017

Surjeetsingh S/o Surajsingh Bawari

..Vs..

State of Maharashtra, P.S.O. Sindewahi Police Station, Tah. Sindewahi, 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 N.A. Chauhan, Adv. for the applicant.
 Shri N.R. Patil, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 27.6.2017.

The applicant, apprehending arrest in crime registered against him and two others for the offence punishable under Sections 65(e) and 83 of the Maharashtra Prohibition Act and Section 188 of the Indian Penal Code, has sought pre-arrest bail.

According to the investigating agency, though there is prohibition of sale of liquor in Chandrapur district, stock of liquor worth Rs.3,96,000/- is seized from vehicle "Scorpio" at Sindewahi, district Chandrapur and the statements of co-accused Surendra and Bhupesh show that the stock of liquor seized by the police belongs to the applicant.

Though the investigating agency claims that the vehicle "Scorpio" from which the stock of liquor is

seized belongs to the applicant, the documents to support the accusation are not placed on record. In the application filed before this Court, in paragraph No.10, the applicant has stated that he is not the owner of the vehicle from which the stock of liquor is seized.

The applicant claims to be a Labourer and has stated that he is not involved in any other crime / offence. The non-applicant has not been able to show that custody of the applicant is required for further investigation.

Considering the facts of the case and accepting the statement made by the applicant before this Court on solemn affirmation that the vehicle “Scorpio” from which the stock of liquor is seized does not belong to the applicant, the following order is passed:

In the event of arrest in Crime No.154/2017 registered by the non-applicant, the applicant be released on bail on executing P.R. bond for Rs.20,000/- (Rs. Twenty Thousand) and furnishing one solvent surety in the like amount.

The application is **allowed** accordingly.

JUDGE

