

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

CRIMINAL APPLICATION (BA) NO.682/2017

Shri Mayur S/o Manish Raut

..Vs..

State of Maharashtra, through Police Station, Ramnagar, Chandrapur, through
G.P. Nagpur

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

Court's or Judge's orders

Shri P.V. Rajurkar, Adv. for the applicant.
Shri A. D. Sonak, A.P.P. for the non-applicant / State.

CORAM : Z.A.HAQ, J.

DATE : 26.7.2017.

Heard.

Apprehending arrest in connection with Crime No.1428/2016 for the offence punishable under Sections 65(a) and 83 of the Maharashtra Prohibition Act and Section 188 of the Indian Penal Code, the applicants had filed Criminal Application (ABA) No.239/2017 on which an order was passed on 13th April, 2017 granting interim protection to the applicant imposing condition of attendance at police station. When the application was taken up for hearing on 5th May, 2017 the investigating agency pointed out that the applicant had not attended the police station and had not co-operated with the investigating agency. This Court dismissed the application on 5th May, 2017. After dismissal of the application the applicant came to be arrested on 10th

July, 2017. The Sessions Court has rejected the application filed by the applicant under Section 439 of the Code of Criminal Procedure and, therefore, this application is filed.

The facts on record show that according to the investigating agency liquor worth Rs.4,50,000/- is seized from the vehicle owned by the applicant, the seizure having been made in Chandrapur district where sale of liquor is prohibited.

According to the applicant, his vehicle was given on hire basis and he was not aware that it will be used for transporting liquor.

Be that as it may, the non-applicant has not been able to point out that further custody of applicant is required for investigation. The applicant, aged about 24 years, claims to be a businessman and has stated that he is not involved in any other crime / offence.

In the facts of the case, following order is passed:

The applicant having been arrested in connection with Crime No.1428/2016, he be released on bail on furnishing cash security of Rs.50,000/- (Rs. Fifty Thousand) and furnishing one solvent surety in the like amount.

The application is **allowed** accordingly.

JUDGE