

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

CRIMINAL APPLICATION (ABA) NO. 542 OF 2017

(MAHESH S/O VISHWANATH CHOUDHARI...VS...STATE OF MAH. THR. P.S.O. PS DHANORA,
DISTT. GADCHIROLI)

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

Court's or Judge's orders

Shri S. N. Bawangade, Advocate for Applicant.
Shri N. R. Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : 1st AUGUST, 2017.

Apprehending arrest in connection with Crime No.34 of 2017 registered by the non-applicant for offence punishable under Sections 65(e)(b)(c)(f)(d) and 82 of the Maharashtra Prohibition Act, the applicant has sought pre-arrest bail.

According to the Investigating Agency, the applicant indulge in producing liquor and selling it. It is submitted that the liquor produced by the applicant is impure and harmful to the consumers. It is further submitted that sale of liquor in Gadchiroli District is prohibited.

The application is opposed on the ground that investigation is in progress and after rejection of application by the Sessions Court, another Crime No.44 of 2017 for similar offence is registered against the applicant.

The applicant, aged about 30 years, claims to be a farmer.

The learned advocate for the applicant has pointed out the statement made in the application filed before this Court that the applicant is permanent resident of Chingali, Tah - Dhanora, District - Gadchiroli and he is not involved in any other crime/offence. It is pointed out from para no.2 of the order passed by the Sessions Court that incorrect submission was made on behalf of the Investigating Agency that the applicant is involved in same type of offences.

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

In the event of arrest in connection with Crime No.34 of 2017 registered by the non-applicant, the applicant be released on bail on executing P. R. Bond for Rs.20,000/- and furnishing one solvent surety in the like amount.

The application is **allowed** in the above terms.

JUDGE

PBP