

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

CRIMINAL APPLICATION (ABA) NO.526 OF 2016

Shrikant S/o Satyanarayan Munarttiwar

..VS..

State of Maharashtra, thr Police Station Officer, P.S. Talodhi, Tahsil Nagbhid,
District Chandrapur

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

Court's or Judge's Order

Shri R.R. Vyas, counsel for the applicant.

Shri S.D. Sirpurkar, Addll.P.P. for the non-applicant.

CORAM : P.N. DESHMUKH, J.

DATED : JANUARY 13, 2017.

Heard.

This application is filed for bail in Crime No.120 of 2016 registered by Talodhi Police Station, District Chandrapur for the offences punishable under Sections 65(e) and 83 of the Bombay Prohibition Act.

By interim protection, applicant is protected by this Court by its order dated 18.8.2016 with a direction to attend the investigating officer for a period of one week, which order is admittedly complied.

According to the case of prosecution as reveals from reply, involvement of applicant is by way of he being owner of car bearing registration No.33-A 2757 which was found transporting foreign liquor valued for Rs.11,40,000/- which was seized when the same was driven by one Devanand. According to the

case of prosecution, involvement of applicant is on the basis of statement of Devanand. There is nothing to establish any independent evidence establishing involvement of the applicant. Though prosecution has filed additional affidavit on record alleging that similar offence is registered against applicant in the year 2012, same is registered involving eight accused persons.

Having considered, facts as aforesaid and as applicant's involvement is based only on statement of co-accused which is inadmissible in law, interim protection granted to the applicant is confirmed, as per order below:

ORDER

1. Interim order passed on 18.18.2016 is confirmed on the same terms and conditions.
2. The applicant to visit the investigating officer as and when he is called, till filing of the charge-sheet.

JUDGE

!! BRW !!

C E R T I F I C A T E

I certify that this Order/Judgment uploaded is a true and correct copy of original signed Order.

Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)

Uploaded on :- 16/1/2017