

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

CRIMINAL APPLICATION (ABA) NO.588/2017

Rahul Shrawan Golait ..vs.. State of Maharashtra thr. PSO P.S. Chamorshi,
Dist. Gadchiroli.

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

Court's or Judge's orders.

Mr. M. N. Ali, Advocate for applicant.

Mr. J. Y. Ghurde, A.P.P. for non applicant.

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 31, 2017

Heard Mr. M. N. Ali, Advocate for applicant
and Mr. J. Y. Ghurde, A.P.P. for non applicant.

This is an application for grant of pre-arrest
bail since the applicant is apprehending his arrest in
connection with Crime No.167/2017, registered with
Police Station, Chamorshi, Dist. Gadchiroli for an offence
punishable under Sections 65 (e), 83, 98 (C) of the
Maharashtra Prohibition Act, 1949.

The application is contested by the State on
the ground that there are previous offences against the
present applicant. The applicant along with co-accused
was found to be driving a two wheeler which was
carrying a basket in which 40 bottles of foreign liquor
was found.

It is to be noted that on 18.08.2017, this
Court has granted ad interim relief in favour of the
present applicant with a direction that the applicant shall
attend Police Station, Chamorshi on 22.08.2017,

24.08.2017 and 25.08.2017 in between 11.00 a.m. to 5.00 p.m. It is to be noted that there is no dispute that the present applicant has attended the Police Station and was with the investigating officer from 11.00 a.m. to 5.00 p.m. for three days.

In that view of the matter, according to me, the investigating officer must have interrogated with the present applicant. Therefore, custodial presence of the present applicant is not necessary. Hence, following order is passed.

ORDER

- (i) Criminal Application No.588/2017 is allowed.
- (ii) Applicant-Rahul Shrawan Golait be released on bail in connection with Crime No.167/2017, registered with Police Station, Chamorshi, Dist. Gadchiroli for an offence punishable under Sections 65 (e), 83, 98 (C) of the Maharashtra Prohibition Act, 1949, on he executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

JUDGE