

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

CRIMINAL APPLICATION (BA) NO.818 OF 2017

Umar Shaha Bashir Shaha and ors

..vs..

The State of Mah., thr. Police Inspector Police Station : Chandrapur City Police
Station, Chandrapur, District Chandrapur

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

Court's or Judge's Order

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Shri J.S. Chilotra, Counsel for the applicants.
Shri V.P. Gangane, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.
DATED : SEPTEMBER 4, 2017.

This is an application for regular bail.

The applicants are arrested in connection with
Crime No.1138 of 2017 registered with Police Station
Chandrapur City, Tahsil and District Chandrapur for the
offences punishable under Sections 65(a) and 83 of the
Maharashtra Prohibition Act and under Section 188 of the
Indian Penal Code.

The applicants are arrested on 29.7.2017. The
entire stock of liquor, which was illegally transported in the city
of Chandrapur, is already seized.

Though application for applicant No.3 is seriously

opposed by learned Additional Public Prosecutor for the State that he is having criminal antecedents, charge shows that in none of the offences previously he was accused under the Maharashtra Prohibition Act. Further, all the offences are triable by the Court of learned Judicial Magistrate First Class.

Looking to the pendency of the criminal cases in the Court of learned Judicial Magistrate First Class, it is clear that in near future the regular criminal cases will not be taken up for evidence. In that view of the matter, further custodial presence of the applicants is not at all necessary. Also, the prosecution is unable to point out as to why the applicants should be languished in jail for further period. Hence, I pass the following order:

ORDER

i) The criminal application is allowed.

ii) The applicants be released on bail on their executing P.R. Bond in the sum of Rs.25,000/- by each of them with two solvent sureties of the like amount by each of them in connection with Crime No.1138 of 2017 registered with Police Station Chandrapur City, Tahsil and District Chandrapur for the offences punishable under Sections 65(a) and 83 of the Maharashtra Prohibition Act and

.....3/-

under Section 188 of the Indian Penal Code.

iii) The applicants shall attend the police station once in a month i.e. on last Sunday of every month, till the Trial is over.

iv) With this, the criminal application is disposed of.

JUDGE

!! BRW !!

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