

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

CRIMINAL APPLICATION (ABA) NO.677 OF 2017

Devayya s/o Rangaiah Kandukuri and anr

..vs..

State of Maharashtra, thr. PSO PS Majri (Kalari), Tahsil Bhadrawati, District
Chandrapur

.....
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 Rajendra Sahu, Adv. h/f Shri A.C. Jaltare, Counsel for the applicants.
Shri M.J. Khan, Add.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : SEPTEMBER 20, 2017.

1. This is an application for anticipatory bail.
2. Heard Advocate Shri Rajendra Sahu for the applicants and learned Additional Public Prosecutor Shri M.J. Khan for the State.
3. Though the case is coming for the first time before the Court, learned Additional Public Prosecutor Shri M.J. Khan for the State is ready with the investigation papers and has also made his oral submissions.
4. The applicants are apprehending their arrest in connection with Crime No.266 of 2017 registered with Police Station Majri, Bhadrawati, Chandrapur for the offences punishable under Section 65(a)(e) of the Maharashtra Prohibition Act, 1949 and under Section 188 of the Indian Penal

Code.

5. According to the first information report, a secret informant gave an information to the investigating officer that the country liquor is being transported in a Tata-Sumo. When that Tata-Sumo was intercepted, according to the first information report, the occupants of the said Tata-Sumo ran away leaving there their the Tata-Sumo. According to the first information report, the liquor is already seized along with the Tata-Sumo.

6. Learned Additional Public Prosecutor Shri M.J. Khan for the State, in reply to the question put to him, has submitted that none of the applicants has any past criminal record. Since the contraband liquor is already seized, in my view, custodial presence of the applicants is not necessary. However, the applicants can be put to conditions. Resultantly, I pass the following order:

ORDER

i) The criminal application is allowed.

ii) In the event of arrest of the applicants, in connection with Crime No.266 of 2017 registered with Police Station Majri, Bhadrawati, Chandrapur for the offences punishable under Section 65(a)(e) of the Maharashtra Prohibition

.....3/-

Act, 1949 and under Section 188 of the Indian Penal Code, applicants Devayya s/o Rangaiah Kandukuri and Venkatesh s/o Devaiah Kandukuri be released on bail on they executing P.R. Bond in the sum of Rs.25,000/- by each of them with two solvent sureties by each of them.

iii) The applicants are directed to attend the police station twice in a week i.e. on every Sunday and Tuesday in between 3:00 p.m. and 5:00 p.m., till filing of the charge-sheet.

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

JUDGE

!! BRW !!

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