

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [ABA] No.714 of 2017
[Shahebaz Mahetab Sheikh Vs. State of Mah, Ramnagar PS, Chandrapur]

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

Court's or Judge's orders

Mr. Mahesh Rai, Adv., for the applicant.
Mr. Charuhas Lokhande, APP for non-applicant.

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CORAM : A.S. CHANDURKAR, J.

DATE : 14th November, 2017

The applicant apprehends his arrest in connection with Crime No. 522/17 registered at Ramnagar Police Station, Chandrapur, for the offence punishable under Section 65 (e) of the Maharashtra Prohibition Act, 1949, and Section 188 of the Indian Penal Code.

As per the First Information Report dated 11th March, 2017, during search of premises belonging to the applicant herein, liquor worth Rs. 21,500/- was found. On that basis, the crime came to be registered.

It is submitted on behalf of the applicant that the applicant has been falsely implicated. The house in question belongs to one Allauddin Sayyad, but he has not been arrested and an accused. The present applicant has been implicated without any legal basis. The applicant has co-operated as per the directions issued

and hence the protection deserves to be continued.

The applicant is opposed by the learned Addl. Public Prosecutor by relying upon the reply. It is submitted that on the basis of the statement of said Allauddin Sayyad, the present applicant has been named. The applicant was arrested and thereafter released on bail on 31st October, 2017. It is further submitted that one offence was registered against the applicant in January, 2017.

Perused the First Information Report as well as the reply.

Present applicant has been named in the report on the basis of statement of one Allauddin Sayyad. After the applicant attended the Police Station, his statement has been recorded and he was also arrested. Considering the nature of allegations, applicant can be directed to co-operate with the investigation till its completion.

In case the applicant again apprehends his arrest, he is at liberty to seek appropriate protection.

Application is disposed of.

Judge