

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (BA) NO. 969/2017

(MANMOHAN @ MONU RAMESH SHARMA VERSUS STATE OF MAHARASHTRA, THR. PSO PS
RAMNAGAR, CHANDRAPUR)

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

Court's or Judge's orders

Shri A. Shelat, counsel for the applicant.
Shri I.J. Damle, A.P.P. for the non-applicant.

CORAM : A.S. CHANDURKAR, J.

DATE : OCTOBER 11, 2017.

The applicant, who has been arrested on 09.09.2017 in connection with Crime No.1237/2017 registered with Police Station Ramnagar, Chandrapur for the offences punishable under Section 65(e) of the Maharashtra Prohibition Act, seeks his release on bail.

As per the first information report, a truck was stopped by the police authorities which was found to be loaded with liquor. As prohibition was applicable in Chandrapur district, offence under Section 65(e) of the Maharashtra Prohibition Act, 1949 came to be registered against the driver and the helper of the truck. The applicant who was the helper on the said truck was accordingly arrested.

It is submitted on behalf of the applicant that the entire material has now been seized and no further investigation is required to be done insofar as present applicant is concerned. He submitted that even before the Sessions Court, the prosecution did not seek police custody remand of the applicant. It is, therefore, submitted that applicant is entitled to be released on bail.

The application is opposed by learned Additional Public Prosecutor by relying upon the the police papers. It is submitted that considering the large quantity of liquor seized, the applicant has been rightly arrested. The applicant does not deserve to be released on bail as there is likelihood of similar crime being committed.

Perused the first information report as well as the police papers. The record indicates that the entire material in question has been seized and after completion of the investigation, the charge-sheet has been filed on 07.10.2017. Considering the role alleged to have been played by the applicant herein, I do not find that his further detention in prison is warranted.

The criminal application is allowed. The applicant, who has been arrested pursuant to Crime No.1237/2017 registered with Police Station Ramnagar, Chandrapur, be released on furnishing P.R. Bond in the sum of Rs.20,000/- with one surety in like amount. He shall attend the concerned police station initially on 01.11.2017 and thereafter as per the directions of the Investigating Officer till the filing of the charge-sheet. No steps be taken to influence the prosecution witnesses. The observations made in this order are only for deciding the bail application.

The criminal application stands disposed of.

JUDGE