

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

CRIMINAL APPLICATION (ABA) NO.779 OF 2017

Vikky @ Vikram Tulsidas Nanwani, Sindhi Colony, Near Gurudwara, Wani, Dist. Yavatmal
-vs-

State of Maharashtra, Thr. PSO, PS Ramanagar, Tah. & Dist. Chandrapur

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

Court's or Judge's Orders.

Shri Abhay Sambre, Advocate for applicant.
Ms Geeta Tiwari, APP for non-applicant/State.

CORAM : A.S.CHANDURKAR, J.
DATE : November 27, 2017

Heard.

The applicant apprehends his arrest in connection with Crime No.1118/2017 registered at Police Station Ramnagar, Dist. Chandrapur, for the offence punishable under Sections 65(e) and 83 of Maharashtra Prohibition Act and Section 188 of the Indian Penal Code.

As per the First Information Report dated 15/07/2017 three persons were found moving suspiciously on a two wheeler which was stopped. It was found that they were transporting liquor despite prohibition. Subsequently in the month of October, one Rupchand Yadav came to be arrested. During his interrogation it is stated that the liquor in question belonged to the applicant. Hence the applicant apprehends his arrest.

It is submitted on behalf of the applicant that he has been falsely implicated in the crime. Merely on the basis of statement of a co-accused who was arrested after three months,

he is being sought to be implicated. It is submitted that there is no ground made out for custodial interrogation of the applicant and he is willing to co-operate with the investigation.

The application is opposed by the learned Additional Public Prosecutor by relying upon the reply. It is submitted that during the course of investigation, the name of the applicant has been revealed. The call detail records indicate talk between the applicant and the arrested accused. Hence application is liable to be rejected.

Perused the First Information Report as well as reply filed. The records indicate that the accused persons transporting liquor were arrested on 15/07/2017. The applicant was named by other accused who was arrested on 13/10/2017. Considering the aforesaid, a case has been made out to grant protection to the applicant. He can be directed to co-operate with the Investigating Officer.

Hence in the event of applicant's arrest in connection with Crime No.1118/2017 registered at Police Station Ramnagar, Dist. Chandrapur, for the offence punishable under Sections 65(e) and 83 of Maharashtra Prohibition Act and Section 188 of the Indian Penal Code, he shall be released on bail on furnishing PR Bond of Rs.20,000/- (Rupees Twenty Thousand) with one surety in the like amount.

The applicant shall attend the concerned police station on 05/12/2017 between 11 am and 1 pm and thereafter as per the directions of the Investigating Officer.

No steps be taken to influence the prosecution witnesses.

The observations made in this order are only for deciding this application which is allowed and disposed of.

JUDGE