

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

CRIMINAL APPLICATION (ABA) NO.787 OF 2017

1. Sanjay Krishna Mandal, Ashti, Tah. Chamorshi, Dist. Gadchiroli.
2. Pradip Pramod Mandal Ashti, Tah. Chamorshi, Dist. Gadchiroli.

-vs-

State of Maharashtra, Thr. PSO, PS Ashti, Dist. Gadchiroli

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

Court's or Judge's Orders.

Shri R. R. Vyas, Advocate for applicant.

Shri S. M. Ghodeswar, APP for non-applicant/State.

CORAM : A.S.CHANDURKAR, J.

DATE : November 22, 2017

Heard.

The applicants apprehend their arrest in connection with Crime No.150/2017 registered at Police Station Ashti, Dist. Gadchiroli for the offence punishable under Sections 65(e), 98(c) and 83 of the Maharashtra Prohibition Act.

As per the First Information Report dated 05/10/2017 on getting information that liquor was being transported in Gadchiroli district, an inspection was carried out. One Anil Wabhitkar was found on a two wheeler alongwith seven boxes of liquor. Two other persons were said to have run away from the spot and they were named as the present applicants by said Anil.

It is submitted on behalf of the applicants that on the basis of statement of the arrested accused, the present applicants have been named. The applicants have no connection with the crime in question. As the liquor has been seized and the applicants have appeared before the Investigating Officer as per directions issued, they are entitled

for protection.

The application is opposed by the learned Additional Public Prosecutor by filing reply. It is submitted that in view of the statement of the person arrested, the involvement of the applicants is apparent. For further investigation, the custody of the applicants is necessary.

Perused the First Information Report as well as documents filed. It can be seen that on 05/10/2017 one accused was arrested on the spot and the liquor in question along with two wheeler was duly seized. The applicants have been named by said accused. Considering the fact that the entire incriminating material has been seized, applicants can be directed to co-operate with the investigation while granting them protection.

In view thereof, in the event of arrest of either of the applicants in connection with Crime No.150/2017 registered at Police Station Ashti, Dist. Gadchiroli for the offence punishable under Sections 65(e), 98(c) and 83 of the Maharashtra Prohibition Act, they shall be released on bail on furnishing PR Bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with one surety each in the like amount.

The applicants shall attend the concerned police station as and when directed and shall not take any steps to influence the prosecution witnesses.

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

JUDGE