

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

CRIMINAL APPLICATION (BA) NO.1072 OF 2017

1. Tarun Virendra Rai,
2. Mandeep Singh s/o Buta Singh Dhillon
3. Shailesh Haridas Rapelliwar

-vs-

State of Maharashtra, Thr. PSO, PS Chandrapur City, Dist. Chandrapur

WITH

CRIMINAL APPLICATION (BA) NO.1095 OF 2017

Kiran s/o Shnkar Mamidwar, Babupeth, Junona, Chandrapur

-vs-

State of Maharashtra, Thr. PSO, PS Chandrapur City, 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 Jasprit Singh Chilotra, Advocate with Shri P. B.
Gode, Advocate for applicants in B.A.No.1072/17.
Shri A. K. Sorde, Advocate for applicant in
B.A.No.1095/17.
Shri K. L. Dharmadhikari, APP for non-applicant/State.

CORAM : A.S.CHANDURKAR, J.

DATE : November 22, 2017

Common order :

The applicants who have been arrested in connection with Crime No.1465/2017 registered at Police Station Chandrapur City, Dist. Chandrapur for the offence punishable under Sections 65(e) and 83 of the Maharashtra Prohibition Act and under Section 188 of the Indian Penal Code seek their release on bail.

As per the First Information Report dated 14/10/2017,

four accused persons were apprehended with stock of liquor along with a four wheeler. After seizing the said liquor as well as other items, the applicants came to be arrested.

It is submitted on behalf of the applicants that they have been wrongly implicated in the offence. The applicants were merely passing the said area when they came to be arrested on suspicion. It is then submitted that as the entire liquor has been seized along with the mobile phones of each of the accused, their further detention is not warranted.

The applications are opposed by the learned Additional Public Prosecutor by filing reply. It is submitted that as the applicants were arrested from the spot, their involvement is apparent. The applicant Nos.1 and 2 in B.A.No.1072/2017 are residents of Chattisgarh State and if released they would not be available to face the trial.

Perused the First Information Report as well as the replies filed. The investigation revealed that all the applicants came to be arrested on the spot on 14/10/2017. The liquor in question as well as the vehicle and mobile phones have been seized. In that view of the matter further detention of the applicants is not warranted. In so far as applicant Nos.1 and 2 in B.A.No.1072/2017 being residents of another State is concerned, they can be directed to furnish local sureties.

Hence the applicants who have been arrested in connection with Crime No.1465/2017 registered at Police Station Chandrapur City, Dist. Chandrapur for the offence

punishable under Sections 65(e) and 83 of the Maharashtra Prohibition Act and under Section 188 of the Indian Penal Code, are directed to be released on bail on furnishing PR Bond of Rs.20,000/- (Rupees Twenty Thousand) each with one surety each in the like amount.

The applicant nos.1 and 2 in B.A. No.1072/2017 shall furnish local sureties. They shall also provide their exact residential address and contact numbers before being enlarged on bail.

The applicants shall co-operate in completion of trial 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.

Pending applications in both the above applications are disposed of accordingly.

JUDGE