

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

CRIMINAL APPLICATION (ABA) NO. 799/2017

Raju Dashrath Sidam..vs.State of Maharashtra through PSO PS Aheri, Dist. Gadchiroli

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

Court's or Judge's orders.

Mr. N. S. Giripunje, Advocate for applicant.
Mr. S. N. Ghodeswar, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.

DATED : DECEMBER 13, 2017

1. Heard Mr. N. S. Giripunje, Advocate for applicant and Mr. S. N. Ghodeswar, A.P.P. for non applicant-State.

2. The applicant is claiming anticipatory bail since he is apprehending his arrest in connection with Crime No.99/2017, registered with Police Station Aheri, Dist. Gadchiroli for an offence punishable under Sections 65 (e) and 83 of the Maharashtra Prohibition Act.

3. According to the prosecution, on a secret information received by Police Inspector Police Station, Aheri, against the present applicant, they conducted raid in the house of one Laxmi Gotamwar and from her husband's possession, liquor worth Rs.1,53,000/- was seized. According to the prosecution, during interrogation of Suresh, it was revealed to the investigating officer that the said liquor was brought from

the present applicant. Except this statement of co-accused, there is no other material.

4. The statement of the co-accused can always give a lead to the police officer for further investigation. In the present case, after getting a lead from the co-accused, the investigation is totally silent and no other independent admissible evidence is collected against the present applicant. Further, there are no offences registered against the present applicant under the Maharashtra Prohibition Act.

5. Consequently, I am of the view that the applicant has made out a case for grant of anticipatory bail. Hence, following order is passed.

ORDER

- (i) Criminal Application No.799/2017 is allowed.
- (ii) The applicant-Raju Dashrath Sidam, in the event of his arrest in connection with Crime No.99/2017, registered with Police Station Aheri, Dist. Gadchiroli for an offence punishable under Sections 65 (e) and 83 of the Maharashtra Prohibition Act, be released on bail on he executing P.R. Bond in the sum of Rs.25,000/- with two solvent sureties in the like amount.
- (iii) The applicant shall attend Police Station, Aheri, twice a week i.e. on every Tuesday and Saturday and shall be with the investigating officer from 01.00 p.m. to 06.00 p.m. till the filing of the charge-sheet.

(iv) If any of the condition is breached by the applicant, the investigating officer shall be at liberty to file an application for cancellation of bail.

The application is disposed of.

JUDGE

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