

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

CRIMINAL APPLICATION (ABA) NO.823 OF 2017

Jitendrasingh s/o Surjitsingh Patwa, R/o Ward No.11, Mul, Tah. Mul, Dist. Chandrapur

-vs-

State of Maharashtra, Thr. PSO, PS Mul, 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 N. A. Chawhan, Advocate for applicant.

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

CORAM : A.S.CHANDURKAR, J.

DATE : December 05, 2017

Heard.

The applicant apprehends his arrest in connection with Crime No.811/2017 registered with Police Station Mul, Dist. Chandrapur, for the offence punishable under Sections 65(e) and 83 of Maharashtra Prohibition Act.

As per the First Information Report dated 23/09/2017 a raid was conducted at the premises of one Amitabhsingh Patwa. About 216 bottles of liquor was seized. During his interrogation he has named the present applicant.

It is submitted on behalf of the applicant that merely on the basis of statement of a co-accused, the applicant has been implicated. The applicant is not connected in any manner whatsoever with the aforesaid offence. As the entire material has been seized, custodial interrogation of the applicant is not necessary.

The application is opposed by the learned Additional Public Prosecutor by relying upon the reply. It is submitted that involvement of the applicant is apparent in view of statement of the arrested accused. Considering antecedents of the applicant, he does not deserve protection.

Perused the Police papers which indicate seizure of 216 bottles of liquor and arrest of Amitabhsingh Patwa. It appears that said accused has named the present applicant. Considering the fact that entire material has been seized and the applicant is implicated on the basis of statement of the co-accused, I am inclined to grant protection to the applicant.

Accordingly in the event of applicant's arrest in connection with Crime No.811/2017 registered with Police Station Mul, Dist. Chandrapur, for the offence punishable under Sections 65(e) and 83 of Maharashtra Prohibition Act, he shall be released on bail on furnishing PR Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one surety in the like amount.

The applicant shall attend the concerned police station on 13/12/2017 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