

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

CRIMINAL APPLICATION (ABA) NO.833/2017

Umesh s/o Ramesh Timande

..vs..

State of Mah., thr. PSO, Ramnagar Police Station, Chandrapur, Tahsil and
District Chandrapur

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

Court's or Judge's Order

Shri N.A. Chauhan, Counsel for the applicant.

Shri N.B. Jawade, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : DECEMBER 12, 2017.

1. Heard learned counsel Shri N.A. Chauhan for the applicant and learned Additional Public Prosecutor Shri N.B. Jawade for the State.

2. The applicant since apprehending his arrest in connection with Crime No.1488 of 2017 registered with Ramnagar Police Station, District Chandrapur for the offences punishable under Sections 65(e) and 83 of the Maharashtra Prohibition Act and under Section 188 of the Indian Penal Code is before this Court and claiming anticipatory bail.

3. The first information report is lodged on 27.10.2017 by Police Sub Inspector Jitendra Vairagade. As per the first information report, the police staff received a secret information that contraband namely liquor which is prohibited

in the Chandrapur district is being transported in one Mahindra Xylo vehicle. Therefore, at a given point, as per the secrete information, the police staff reached there. That time, they noticed that liquor was taken out in an open space in front of one Prakash Dhoke. On noticing the police staff, 3 persons ran away. However, one was apprehended. He disclosed his name as Umesh Rathod and when inquiry was made with him, he disclosed his name as present applicant.

4. According to learned Additional Public Prosecutor Shri N.B. Jawade for the State, during the course of the investigation, it was found that there is an agreement in between the present applicant and one Prakash Ranvir by which Prakash Ranvir gave his Mahindra Xylo vehicle on rent to the present applicant. That is the only material against the present applicant. Such an agreement cannot be made as an incriminating circumstance against the present applicant. Further, admittedly, there are no previous offences against the present applicant.

5. In view of that, the applicant has made out a case for anticipatory bail. Consequently, I pass the following order:

ORDER

(i) The criminal application is allowed.

(ii) Applicant Umesh s/o Ramesh Timande be

released on bail, in the event of his arrest in connection with Crime No.1488 of 2017 registered with Ramnagar Police Station, District Chandrapur for the offences punishable under Sections 65(e) and 83 of the Maharashtra Prohibition Act and under Section 188 of the Indian Penal Code on he executing a P.R. Bond in the sum of Rs.1.00 lac (rupees one lac only) with two solvent sureties of the like amount.

(iii) The applicant shall attend the police station twice a week i.e. on Monday and Friday in between 3:00 p.m. and 5:00 p.m., till filing of the charge-sheet.

(iv) With this, the application is allowed and disposed of.

JUDGE

!! BRW !!

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