

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

**CRIMINAL APPLICATION (ABA) NO.836/2017**

**Pritam Subhash Patil**

**..vs..**

**State of Mah., thr. PSO PS Ballarpur, District Chandrapur**

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

Court's or Judge's Order

Shri M.N. Ali, Counsel for the applicant.

Shri Amit Madiwale, Addl.P.P. for the State.

**CORAM : V.M. DESHPANDE, J.**

**DATED : DECEMBER 15, 2017.**

1. Heard learned counsel Shri M.N. Ali for the applicant and learned Additional Public Prosecutor Shri Amit Madiwale for the State.

2. According to the prosecution, on a secret information, a raid was committed on the house of the present applicant where it was found that he has stocked liquor worth Rs.1,75,000/- illegally. The place falls within the territorial jurisdiction in which the possession of liquor is prohibited.

3. According to learned counsel Shri M.N. Ali for the applicant, the said house does not belong to him. It is the defence of the present applicant that he will have to prove the same during the course of the Trial. It is not the case of the applicant that the applicant is a habitual offender.

4. Since the liquor is already seized, custodial presence of the applicant, in my view, is not necessary. Consequently, I pass the following order:

**ORDER**

(i) The criminal application is allowed.

(ii) Applicant Pritam Patil, in the event of his arrest, be released on bail in connection with Crime No.1039 of 2017 registered for the offence punishable under Section 65(e) of the Maharashtra Prohibition Act, 1949 read with Section 188 of the Indian Penal Code, on he depositing Rs.50,000/- in the Court of learned Judicial Magistrate First Class at Ballarpur within a period of one week from today.

(iii) The amount so deposited by the applicant shall be treated as Muddemal property of the crime in question and till the Trial is over, the applicant will not be entitled to file an application for withdrawal of the said amount.

(iv) After conclusion of the Trial, the trying Magistrate shall pass suitable orders in respect of

the same amount. In order to save the interest, learned Magistrate shall deposit the said amount of Rs.50,000/- with the Nationalized Bank initially for a period of 3 years and the same shall be renewed time-to-time.

(v) The applicant shall produce the copy of the receipt depositing Rs.50,000/- to the investigator within a period of 10 days from today. Else, order granting anticipatory bail shall cease to operate automatically.

(vi) The applicant shall also attend Ballarpur Police Station, District Chandrapur once in a month i.e. on 3<sup>rd</sup> Monday of every month, till the charge-sheet is filed and shall be with the investigating officer from 1:00 p.m. to 5:00 p.m..

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

**JUDGE**

!! BRW !!

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