

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

CRIMINAL APPLICATION (ABA) NO.857/2017

Nikhil Shankar Mahulikar @ Mawalikar ..vs.. The State of Maharashtra thr.
PSO P.S. Ghuggus, Dist. Chandrapur.

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

Court's or Judge's orders.

Mr. N. A. Chawhan, Advocate for applicant.
Mr. N. B. Jawade, A.P.P. for non applicant-State

CORAM : V.M. DESHPANDE, J.

DATED : DECEMBER 11, 2017

Heard Mr. N. A. Chawhan, Advocate for applicant
and Mr. N. B. Jawade, A.P.P. for non applicant-State.

The applicant is apprehending arrest in connection with Crime No.283/2017 registered with Police Station, Ghuggus, Dist. Chandrapur for an offence punishable under Section 65 (a) and 83 of the Maharashtra Prohibition Act. The State has filed its reply. From the reply, it is crystal clear that there is no independent material against the present applicant. The prosecution is relying only on the statement of the co-accused. The statement of the co-accused can only give lead to the investigating officer and after getting such lead it is the duty of the investigating officer to investigate into the matter and collect the independent material against the applicant. However, in the present case, even after getting lead there is no independent admissible evidence against the present applicant.

Thus, applicant has made out a case for grant of anticipatory bail. Hence, Criminal Application No.857/2017

is allowed. In the event of arrest his in connection with Crime No.283/2017 registered with Police Station, Ghugus, Dist.Nagpur for an offence punishable under Sections 65 (a) and 83 of the Maharashtra Prohibition Act and Section 188 of the Indian Penal Code, the applicant-Nikhil Shankar Mahulikar @ Mowalikar be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with two solvent sureties in the like amount.

The applicant shall attend Police Station, Ghuggus, twice a month i.e. on every third and fourth Saturday of each month between 11.00 a.m. to 5.00 p.m. till the filing of the charge-sheet

The application stands disposed of.

JUDGE

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