

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

CRI. APPLICATION (BA) NO. 1125 OF 2016

(UMESH RAJ SWAMI...VS.. STATE OF MAH. THR. P.S.O. PS RAMNAGAR, DIST. CHANDRAPUR)

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

Court's or Judge's orders

None for the Applicant.
Shri A. M. Deshpande, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 09, 2017.

Heard Shri. A. M. Deshpande, learned A. P. P. for
the non-applicant.

Applicant is arrested on 15th November, 2016 in
crime registered against him and two others for the offences
punishable under sections 65(a) and 82 of the Maharashtra
Prohibition Act and Section 188 of the Indian Penal Code.

According to the Investigating Agency, the
accused was driving the vehicle which was stopped on
Chandrapur-Ballarshah bye-pass and liquor worth
Rs.4,28,800/- was seized from the vehicle. According to the
Investigating Agency, sale of liquor in Chandrapur District is
banned and inspite of it the applicant alongwith co-accused
was transporting the liquor to the area where sale of liquor is
prohibited.

The charge-sheet is filed on 13.01.2017.
Investigating Agency has not been able to show that custody
of the applicant is required for further investigation.

Considering the facts of the case, I am of the view that the non-applicant should be directed to release the applicant on bail, however, on imposing some stringent conditions :

The applicant, having been arrested in Crime No. 1252 of 2016, registered by the non-applicant, he be released on bail on furnishing cash security of Rs.50,000/- and one solvent surety in the like amount.

The cash security shall be furnished before the Court of Learned Magistrate where the charge-sheet is filed.

The application is **allowed** in the above terms.

JUDGE