

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

CRI. APPLICATION (ABA) NO. 842 OF 2016

(MANGESH DASHRATH BAWNE....VS.. STATE OF MAH. THR. P.S.O. RAMNAGAR POLICE STATION.)

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

Court's or Judge's orders

Shri A. Moon, Advocate for applicant.
Shri T.A.Mirza, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 05, 2017.

Heard.

The applicant seeks pre-arrest bail in the crime registered against him for the offence punishable under Sections 65(e) of the Maharashtra Prohibition Act, 1949 and 188 of the Indian Penal Code.

The learned A.P.P. has submitted that the applicant was earlier also involved in Crime No. 26 of 2013 registered with Police Station, Ballarsha for the offences punishable under Sections 147, 148, 149, 326 of the Indian Penal Code read with Sections 4 and 25 of the Arms Act.

This Court has granted interim order on 5th January, 2017 in favour of the applicant. It is not the complaint of the non-applicant that after grant of the interim order the applicant has not co-operated with the investigation.

According to the learned advocate for the applicant and the learned A.P.P., the value of the liquor seized from the applicant is about Rs.25,000/-. Admittedly, the sale of liquor is prohibited in Chandrapur District.

Considering the facts of the case, I am of the view that the interim order granted by this Court on 5th January, 2017 is required to be confirmed, however, with modifications in the conditions imposed by this Court.

Hence, the following order :

In the event of arrest in Crime No. 1144 of 2016, registered by Police Station, Ramnagar, Chandrapur the applicant be released on bail on furnishing cash security of Rs.Forty Thousand with one surety in the like amount.

Till filing of the chargesheet the applicant shall co-operate with the investigation.

After filing of the chargesheet the applicant shall attend the proceedings before the trial Court on every date unless granted exemption by the Court.

The application is **allowed** accordingly.

JUDGE