

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

CRIMINAL APPLICATION (ABA) NO.892/2017

Smt. Jindrakaur s/o Akalsing Bhaud

..vs..

State of Mah., thr. PSO PS Chimur, Tahsil Chimur, District Chandrapur

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

CORAM : V.M. DESHPANDE, J.

DATED : DECEMBER 18, 2017.

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

2. The present application is filed since the applicant is apprehending her arrest in connection with Crime No.622 of 2017 registered with Chimur Police Station, Tahsil Chimur, District Chandrapur for the offence punishable under Section 65(e) of the Maharashtra Prohibition Act.

3. According to the prosecution, on 15.11.2017 the police officer got a secret information that the applicant has stocked liquor illegally in her house. Therefore, raid was made in her house. According to the prosecution, the applicant was not present. Even, in her absence, it was noticed that huge

stock of liquor is found to be stored in her house.

4. The application is opposed on the ground that the applicant is having criminal antecedents.

5. Looking to the fact that the applicant was not present at the time when her house was searched, in my view, the applicant has made out a case in her favour for anticipatory bail. Consequently, I pass the following order:

ORDER

(i) The criminal application is allowed.

(ii) Applicant Smt. Jindrakaur Akalsing Bhaud, in the event of her arrest in connection with Crime No.622 of 2017 registered with Chimur Police Station, Tahsil Chimur, District Chandrapur for the offence punishable under Section 65(e) of the Maharashtra Prohibition Act, the applicant be released on bail subject to condition that the applicant deposits Rs.1.00 lac (rupees one lac only) in the Court of learned Judicial Magistrate at Chimur, District Chandrapur within a period of one week from today.

(iii) Such deposit of Rs.1.00 lac (rupees one lac only) shall be treated as Muddemal property of

the present applicant and in any case the applicant will not be entitled to move an application for refund of the said amount.

(iv) Learned trying Magistrate shall decide the return of the Muddemal property after the Trial is over.

(v) The applicant shall produce the receipt before the investigating officer showing the deposit of Rs.1.00 lac (rupees one lac only) in the Court of Learned Magistrate.

(vi) If the amount of Rs.1.00 lac (rupees one lac only) is not deposited within a period of one week from today, protection granted by this Court shall cease to operate and the application shall stand dismissed without further reference to the Court.

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

JUDGE

!! BRW !!

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