

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

CRIMINAL APPLICATION (BA) NO.61/2018

Mr. Mangesh s/o Suresh Gedam and anr

..vs..

State of Mah., thr. its PSO PS Gadchiroli, Tahsil and District Gadchiroli

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

Court's or Judge's Order

Mrs. Dhote, Counsel for the applicants.

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

CORAM : V.M. DESHPANDE, J.

DATED : JANUARY 24, 2018.

1. Heard learned counsel Mrs. Dhote for the applicants and learned Additional Public Prosecutor Shri Amit Madiwale for the State.

2. The applicants are arrested in connection with Crime No.680/2017 registered with Gadchiroli Police Station for the offences punishable under Sections 65(a)(e), 83, and 98(2) of the Maharashtra Prohibition Act and Section 188 of the Indian Penal Code.

3. Learned Additional Public Prosecutor Shri Amit Madiwale for the State submits that if the applicants are released on bail, there is a possibility that they may again try to commit the similar offences. Further, according to learned Additional Public Prosecutor Shri Madiwale, persons on whose behalf the liquor was transported in the Gadchiroli district, are still not nabbed by the

police and, therefore, prays for rejection of the bail application.

4. According to the prosecution case, on getting a secret information on 29.12.2017, a silver colour 'Mahindra Scorpio' having registration No.MH-29/R/3365 was intercepted. In the said vehicle, the applicants were found to be sitting as driver and co-driver. The interception of the said vehicle reveals that huge quantity of country liquor was found to be kept for transporting inside the Gadchiroli district.

5. Even according to the prosecution, the contraband is not belonging to the applicants and they, on the say of accused persons Prashant Yedawar and Vishnu Hiranand Taktani, were transporting the said liquor.

6. In view of these facts and since the applicants are behind the bars, in my view, the applicants can be released on bail on certain conditions, as per order below:

ORDER

(a) The criminal application is allowed.

(b) Applicants Mangesh s/o Suresh Gedam and Ashish s/o Nakul Gundre, be released on bail on their executing P.R. Bond in the sum of Rs.25,000/- by each of them with two solvent sureties of the like amount by each of them in connection with Crime No.680/2017 registered with Gadchiroli Police Station for the

offences punishable under Sections 65(a)(e), 83, and 98(2) of the Maharashtra Prohibition Act and Section 188 of the Indian Penal Code.

(c) The applicants shall attend the police station once in a week i.e. on every Tuesday of every week and shall be in the police station from 2:00 p.m. to 5:00 p.m., till filing of the charge-sheet.

(d) It is made clear that the observations made in this order are purely for deciding the application for grant of bail only and learned Judge of the Court below, who shall be trying the case, shall not get influenced of the observations made in this order.

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

JUDGE

!! BRW !!

...../-