

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

Criminal Application [ABA] No.172 of 2018

Vinod Banshilal Jaiswal

vs.

State of Maharashtra, through P.S.O. Ramnagar, Chandrapur

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

Court's or Judge's Orders

Shri P.S. Jaiswal, Advocate for the Applicant.
Shri P.S. Tembhare, A.P.P. for the Non-Applicant/State.

CORAM : S.B. SHUKRE, J.
DATE : 20th MARCH, 2018.

Issue notice to the non-applicant/State.

The learned A.P.P. waives service of notice for the State and files on record reply of the prosecution. It is taken on record.

Heard.

Considering the facts that the illicit liquor has already been seized, co-accused Pradeep from whose possession the illicit liquor has been seized, is released on bail and that except for the CDRs showing that this applicant was in touch with the other accused persons, there is no material on record to reasonably suspect involvement of this applicant in the present crime, I am of the view that this applicant could be released on anticipatory bail.

There is a reference to the previous crime committed by this applicant, but in this crime, which was registered as Summary Criminal Case No.120/2007, the applicant has been acquitted on 12/04/2010 by the Court of Judicial Magistrate First Class, Chandrapur and, therefore, this crime could not be considered as forming criminal

antecedents of this applicant. In the result, I am inclined to grant this application.

The application is allowed and it is directed that in the event of arrest of the applicant in Crime No.143/2018 registered with Police Station Ramnagar, Chandrapur, the applicant be released on bail on his furnishing a P.R. Bond of Rs.25,000/- together with one solvent surety in the like sum on the following conditions :

- i. The applicant shall attend the concerned police station on every Tuesday and Saturday in between 06:00 p.m. and 08:00 p.m.
- ii. The applicant shall co-operate with the police in the investigation.
- iii. The applicant shall not involve himself in any criminal activities and shall maintain good behaviour, and in case any similar crime is registered against him in future, the bail so granted by this Court shall liable to be cancelled at the instance of the prosecution.
- iv. The applicant shall not tamper with the prosecution evidence in any manner.

JUDGE

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