

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

CRIMINAL APPLICATION (ABA) NO.272/2018

Bijendra @ Vijendar Suresh Kanjar

..vs..

The State of Mah., thr. Police Inspector, P.S. Ramnagar, Tahsil and District
Chandrapur

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

Court's or Judge's Order

.....
Shri J.S. Chilotra, Counsel for the applicant.

Ms R.V. Kalia, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : MAY 5, 2018.

1. This is an application for grant of anticipatory bail since the applicant is apprehending his arrest in connection with Crime No.1344/2017 registered with Police Station Ramnagar, Tahsil and District Chandrapur for the offences punishable under Sections 65(a) and 83 of the Maharashtra Prohibition Act and under Section 188 of the Indian Penal Code.

2. This is a second anticipatory bail application.

The first application filed on behalf of the present applicant was registered as Criminal Application (ABA) No.876/2017 and the said was rejected by this Court on 19.12.2017. Subsequently, the chargesheet was filed.

3. After filing of the chargesheet, the applicant approached before learned Judge of the Court below seeking pre-

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arrest bail. However, on 14.3.2018, the application was rejected. Therefore, the present application is filed.

4. It is my considered view that filing of chargesheet amounts to change in circumstance.

5. According to learned counsel Shri J.S. Chilotra for the applicant, there is no material against the present applicant in the entire chargesheet except statement of the co-accused.

The said submission is concurred by learned Additional Public Prosecutor Ms R.V. Kalia for the State.

6. Since there is no independent material available against the applicant, in my view, the case is made out for grant of anticipatory bail. Hence, I pass following order:

ORDER

(i) The criminal application is allowed.

(ii) In the event of arrest of applicant Bijendra @ Vijendar Suresh Kanjar, in connection with Crime No.1344/2017 registered with Police Station Ramnagar, Tahsil and District Chandrapur for the offences punishable under Sections 65(a) and 83 of the Maharashtra Prohibition Act and under Section 188 of the Indian Penal Code, the applicant be released on bail on his executing a P.R. Bond in the sum of Rs.1.00 lac (rupees one lac only) with one solvent surety of the like amount.

(iii) The applicant shall attend the police station on 14th, 15th, 16th, 17th, 18th, 19th, 20th, and 21st of May 2018 and shall be with the investigating officer from 11:00 a.m. to 6:00 p.m. During the said period, the investigating officer shall conduct entire investigation.

(iv) The applicant shall maintain the diary showing his attendance. If the applicant fails to attend the police station during the said period, it shall be open for the investigating officer to file an application for cancellation of the bail.

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

JUDGE

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