

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1822 OF 2018

Umesh Namdev Rathod

.... Applicant

versus

The State of Maharashtra

.... Respondent

.....

- Ms.Jayshree Tripathi i/b. Udaynath Tripathi, Advocate for Applicant.
- Mr.Deepak Thakare, PP, a/w Mr.S.H. Yadav, APP for the State/Respondent.
- IO (API) Mr.B.S. Birajdar, Solapur Taluka Police Station, present.

CORAM : SARANG V. KOTWAL, J.

DATE : 14th JUNE, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.312/18 registered with Solapur Police Station, Solapur Rural, under sections 328 of the Indian Penal Code and under section 65(F) of Maharashtra Prohibition Act.
2. The FIR is lodged by police constable Dhanraj Vilas Gaikwad, attached to Solapur Police Station. It is mentioned in

the FIR that, on prior information, the police party conducted raid at around 05.30 p.m in the village Boramani Tanda. The raiding party found that one person was in the process of manufacturing illicit liquor. As soon as the police party reached there, he ran away from the spot. The police found articles like Urea, pieces of battery cell, pieces of Navsagar and damaged jaggery etc. on the spot. All of them were used for preparing illicit liquor, which is highly dangerous for human consumption. In all, articles worth Rs.4,95,600/- were seized. The samples were taken and were sent for chemical analysis. The FIR mentions that, on enquiry, police came to know that the person who had run away from the spot, was none other than the present Applicant. On these allegations the FIR was lodged.

3. Heard learned Counsel Ms.Tripathi for the Applicant and learned PP Mr.Deepak Thakare for the State.
4. Careful perusal of the FIR shows that, it is based on serious allegations. Articles used in preparing illicit liquor can

cause death. The name of the Applicant has transpired in the FIR itself. Therefore this is a case where thorough investigation is necessary. It is not possible without custodial interrogation of the Applicant. In this view of the matter, no case for anticipatory bail is made out. The Application is rejected.

(SARANG V. KOTWAL, J.)