

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1202 OF 2019

Vittal Ram Mane] ... Applicant

Versus

The State of Maharashtra] ... Respondent

Mr. Sachin Deokar, Advocate for the Applicant.

Mr. Rajan Salvi, APP for the State/Respondent.

PSI P.D. Gaikwad attached to Solapur Taluka Police Station present.

CORAM :- SARANG V. KOTWAL, J.

DATE :- 18 JUNE, 2019.

P. C. :-

1. The applicant is seeking anticipatory bail in connection with C.R.No.206/2019 registered with Solapur Taluka Police Station, Solapur u/sec.353, 332, 143, 444, 145, 146, 147, 148, 149 of I.P.C. and u/sec. 41, 69 of the Indian Forest Act, 1927 and u/sec. 65 (f) of the Maharashtra Prohibition Act.

2. The FIR is lodged by the Forest Officer Chetan Nalawade. He has stated in the FIR that on prior information the police party as well as the Forest Officer went to Chintamani Nagar Mulegaon Tada. The raiding party saw that illegal liquor was being manufactured there

and there were 11 barrels containing melted jaggery. The samples were drawn for chemical analysis. On further inspection the raiding party found out that many tress were cut and the wooden logs were lying nearby. When the raiding party was completing the formalities of seizure etc., at that time around 10 to 12 women and 5 to 6 men came there and obstructed the raiding party from continuing with their work. On inquiry made by the raiding party they came to know that the illegal liquor was manufactured at the instance of the present applicant. On this basis the FIR was lodged.

3. Heard Mr. Sachin Deokar, Ld. Counsel for the Applicant and Mr.Rajan Salvi, APP for the State/Respondent.

4. Ld. Counsel for the applicant submitted that charge-sheet is filed against other accused and in that charge-sheet there is no material to connect the applicant with the alleged crime.

5. The Investigating Officer is present in the court and on his instructions, Ld. APP assisted the court. But even the Investigating Officer could not point out any concrete material against the present applicant connecting him with the alleged crime. His name is

mentioned in the FIR at the instance of one person. However, from whom such name was made known to the police is blissfully kept under wraps. At this stage there does not appear to be any material against this applicant. Therefore, he deserves grant of anticipatory bail. However, if in further investigation any concrete material is found against the present applicant, the investigating agency is at liberty to prefer an application for cancellation of anticipatory bail of this applicant. Hence, the following order.

ORDER

1. In the event of his arrest in connection with C.R.No.206/2019 registered with Solapur Taluka Police Station, Solapur, the Applicant be released on bail on his executing P.R.Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
2. In case, the investigating agency comes across any concrete material against the present applicant, they are at liberty to prefer an application for cancellation of anticipatory bail of this applicant.
3. Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)