

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

CRIMINAL APPLICATION (ABA) NO. 293 OF 2019

(Shri Deepak s/o Shankarlal Jaiswal vs. State of Maharashtra thr. PSO, Ram Nagar, Chandrapur)

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

Court's or Judge's orders.

CORAM : PUSHPA V. GANEDIWALA, J.
MAY 20, 2019.

Heard Shri A.R. Wagh, learned counsel for the applicant and Shri C.A. Lokhande, learned APP for the non-applicant – State.

The applicant apprehends his arrest in Crime No. 302 of 2019 registered with the Police Station, Ram Nagar, Chandrapur, for the offence punishable under Sections 65(b), 83 of Maharashtra Prohibition Act read with Section 188 of the Indian Penal Code. The allegations against the applicant are that he is the owner of the premises in which stock of illegal liquor has been found.

The learned APP, in his reply, strongly opposes the application, mainly on the ground of his criminal antecedents.

The learned Additional Sessions Judge, Chandrapur, has also rejected the pre-arrest bail of the applicant mainly on the ground of criminal antecedents.

The learned counsel for the applicant submits that in 10 out of 12 criminal cases registered against the applicant, the applicant has been acquitted and this fact same has already been verified by the learned APP.

In view of the role attributed to the applicant in this case and the main accused, who has allegedly ordered the illegal liquor, has already been released on pre-arrest bail, I am inclined to allow this application.

Criminal Application is allowed.

- i) In the event of his arrest, the applicant shall be released on bail on furnishing P.R. bond of Rs.25,000/- each with one surety of like amount.
- ii) The applicant shall make himself available to the Investigation Officer as and when he is required.
- iii) The applicant shall not tamper with the evidence.
- iv) The applicant shall not leave the jurisdiction of this Court without permission of the concerned Investigation Officer.

Hamdast allowed.

JUDGE

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