

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

Criminal Application (BA) No. 568 of 2019

Mangesh Zadbuke

Vs.

State Through P.S. Sawali Dist. Chandrapur

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

Court's or Judge's orders

Mr. A.R. Wagh, Advocate for applicant.
Mr. H.R. Dhumale, APP for non-applicant.

CORAM : MANISH PITALE, J.

DATED : JULY 22, 2019

The applicant herein has approached this Court seeking bail as he stood arrested on 30/05/2019, in connection with FIR dated 13/04/2019, registered under Section 65(e) of the Maharashtra Prohibition Act, 1949.

2. As per the FIR, a truck carrying liquor worth about Rs.4,00,000/- was apprehended by the police upon information being received in District Chandrapur. It was alleged that the driver of the truck fled away. But, the mobile phone recovered from the truck led the police to the applicant.

3. On the basis that he was driving the aforesaid truck on 30/05/2019, the applicant was arrested. It is the case of the police that during

interrogation the applicant has revealed the name of the person for whom he was working while transporting the contraband liquor.

4. Although, the learned APP has opposed grant of bail in the present case on the basis that the applicant also has criminal antecedents in the form of earlier such offences registered against him, for the present, on the basis of material that has come on record, it appears that the applicant is said to be the driver of the truck in which contraband liquor was transported.

5. Considering these facts, as also the fact that the applicant has been behind bars since 30/5/2019, this Court is of the opinion that conditional bail can be granted to the applicant herein.

6. Accordingly, the present application is allowed and the applicant is directed to be released on bail on the following conditions :

- a) The applicant shall furnish PR bond of Rs.50,000/- and surety in the like amount.
- b) The applicant shall attend Police Station Sawali Dist. Chandrapur once a week i.e. on Sunday between 10:00 AM to 5:00 PM, till filing of chargesheet.
- c) The applicant shall not indulge in activities similar to one that have led to the aforesaid offences being registered against him under the provisions of

the Maharashtra Prohibition Act, 1949.

d) The applicant shall co-operate with the investigation and he shall make himself available before the Investigating Officer as and when required.

e) The applicant shall not tamper with the evidence or influence the witnesses.

7. In case the applicant violates any of the conditions stated above, the bail granted to him shall stand cancelled.

8. It is further made clear that the observations made in this order are limited to the question of grant of bail to the applicant.

JUDGE