

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

Criminal Application (ABA) No. 422 of 2019

Mahesh Matangi

Vs.

State of Mah. Through P.S. Majri 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. N.B. Rathod, Advocate for applicant
Mr. H.R.Dhumale, APP for non-applicant.

CORAM : MANISH PITALE, J.

DATED : JULY 2, 2019

The applicant herein has approached this Court seeking anticipatory bail in respect of FIR dated 07/10/2018, wherein he along with other persons have been arrayed as accused for the offences punishable under Sections 65(A)(E) and 83 of the Maharashtra Prohibition Act, 1949 and Section 188 of the Indian Penal Code.

2. It is the contention of the applicant that he has been falsely roped in by the police and that he was not actually involved in the incident, leading to registration of FIR. It is relevant to note that the applicant approached the Sessions Court twice for grant of anticipatory bail in respect of aforesaid FIR and on both occasions the applications were rejected.

3. Before the Sessions Court the prosecution pointed out that the applicant had been involved in such cases earlier also and that he had been absconding in the present case despite the fact that the complainant (police personnel) had identified the applicant at the spot of incident when liquor was seized and he ran away from the spot. The applicant has also stated that he has been arrayed as accused on earlier occasions for similar offences.

4. Considering these facts and circumstances and the fact that there is nothing to indicate that police has falsely implicated the applicant in the present case, this Court is of the opinion that the present application does not deserve to be allowed.

5. Accordingly, application is rejected.

JUDGE