

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

Criminal Application (ABA) No. 494 of 2019

Karan Singh

Vs.

State of Maharashtra Through P.S. Mul 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. Jaspritsingh Chilotra, Advocate for applicant
Mr. N.R. Rode, APP for non-applicant.

CORAM : MANISH PITALE, J.

DATED : AUGUST 01, 2019

The applicant has approached this Court apprehending arrest in connection with FIR dated 27/09/2019, registered against him and two other accused persons for offences under Section 188 of the Indian Penal Code and Sections 65(e) and 83 of the Maharashtra Prohibition Act, 1949.

2. According to the prosecution, on a secret information that liquor was being illegally stored and sold in district Chandrapur, which is a dry district, raid was conducted by the police when two co-accused persons fled away leaving the liquor which is worth about Rs.1,30,000/-. It is claimed that the police chased the co-accused persons and upon being apprehended, they named the applicant as the person from whom the liquor was sourced.

3. It is submitted by the learned counsel for the applicant that other than the statements of the co-accused persons there is nothing on record to connect the applicant with the said contraband liquor. It is further submitted by the learned counsel appearing for the applicant that even as per the prosecution the said liquor was recovered from open space. The learned counsel for the applicant also submits that the applicant had no criminal antecedents and he was being falsely roped in.

4. The learned APP has handed over the copy of reply, which is taken on record. A perusal of the same shows that there is no material to indicate any criminal antecedents of the applicant. It is evident from the material on record, as of now, that other than statements of the co-accused persons, there is nothing to connect the applicant with the contraband liquor. The said liquor has already been seized and as long as the applicant is ready to co-operate with the investigation, the present application deserves to be allowed.

5. Accordingly, the application is allowed and it is directed that in the event the applicant is arrested in Crime No.293/2019, registered at Police Station Mul Dist. Chandrapur, he shall be released on bail on furnishing PR bond of Rs.50,000/- (Rs. Fifty

Thousand) and surety in the like amount. The applicant shall attend Police Station Mul Dist. Chandrapur once a week i.e. on Sunday between 10:00 AM to 5:00 PM, till filing of chargesheet. The applicant shall co-operate with the investigation and he shall neither tamper with the evidence nor influence the witnesses.

JUDGE

MP Deshpande