

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

CRIMINAL APPLICATION (ABA) NO.548/2019

Sheikh Arif Sheikh Ibrahim .vs. State of Maharashtra through PSO P.S.
Korpana, 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. Subhan, Advocate for applicant.

Mr. V. P. Gangane, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : AUGUST 20, 2019

Heard Mr. Subhan, learned counsel for applicant
and Mr. Gangane, learned A.P.P. for non applicant-State.

The present application is filed with a prayer for pre-arrest bail since the applicant is apprehending his arrest in connection with Crime No.180/2019 registered with Police Station, Korpana, Tq. Korpana, Dist. Chandrapur, for an offence punishable under Sections 65 (a) & (e) of the Maharashtra Prohibition Act, 1949 and Section 188 of the Indian Penal Code.

As per the prosecution case, Prabhakar Jadhav, Police Head Constable lodged a report that on 19.07.2019 in respect of transportation of illicit liquor near village Vanoja, they got a secret information that present applicant is transporting illicit liquor in a car. The car was intercepted. Present applicant was driving the car. However, when the car was stopped, he ran away from the spot. From the car, country liquor worth Rs.4,89,600/- was seized.

According to learned counsel for the applicant, there is no evidence on record to show that present applicant was driving the vehicle.

Learned A.P.P. pointed out to me statement of one Naresh, to show that after the car was intercepted present applicant, who is known to him, ran away from the car. The learned A.P.P. has pointed out to me the reply in which it is revealed that 16 offences of similar nature are registered against applicant. It appears that applicant is a habitual offender and involved in transportation of illicit liquor in Chandrapur and Gadchiroli districts, which are dry districts.

In these circumstances, no case is made out for grant of anticipatory bail. Hence, the application is rejected.

It is expected from investigating officer to take immediate steps against applicant, in accordance with law.

JUDGE