

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

CRIMINAL APPLICATION (ABA) NO.554/2019

Imran Ahemad Kalluhasan Siddiqui .vs. State of Maharashtra through PSO
P.S. Chandrapur

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

Court's or Judge's orders.

Mr. M. Rai, Advocate for applicant.

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

CORAM : V. M. DESHPANDE, J.

DATED : SEPTEMBER 26, 2019

Heard Mr.Rai, learned counsel for applicant and Mr. Thakur, learned A.P.P. for non applicant-State. Also perused the reply filed on behalf of the prosecution.

Applicant is apprehending his arrest in connection with Crime No.1036/2018 registered with Police Station, Bhadrawati, Dist.Chandrapur for an offence punishable under Section 65 (a) and 83 of the Maharashtra Prohibition Act,1949 and Section 188 of the Indian Penal Code.

According to prosecution case, as it is revealed in the reply, the police machinery received a secret information about transportation of foreign liquor in one Tata pickup van. According to prosecution, said van bearing registration No.MH-34/AB-1181 was escorted by Optra Chevrolet car bearing registration No.MH-31/CN-775. When it was stopped, there were five persons sitting in the said vehicle. When the said van was stopped and searched, under cauliflowers, huge stock of foreign liquor was found. As per prosecution, applicant is owner of the said Optra Chevrolet

car and that is the only allegation against present applicant, as it could be seen from the prosecution case.

Applicant was granted ad interim bail on 08.08.2019 and he was directed to make himself available for investigation as and when required by the investigating officer. Learned counsel for the applicant submitted that he handed over Hamdast to the investigating officer however later on he was never called by the investigating officer. This submission is not controverted by the learned A.P.P. for the State, on instructions from the investigating officer.

In view of aforesaid, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No.1036/2018 registered with Police Station, Bhadrawati, Dist.Chandrapur for an offence punishable under Section 65 (a) and 83 of the Maharashtra Prohibition Act, 1949 and Section 188 of the Indian Penal Code, applicant-Imran Ahemad Kalluhasan Siddiqui be released on bail on he executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (ii) Applicant shall attend Police Station, Bhadrawati once in a week i.e. on every Sunday and shall be with the investigating officer between 03:00 p.m. to 05:00 p.m., till filing of the charge-sheet.

The application is disposed of.

JUDGE