

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

CRIMINAL APPLICATION (BA) NO.780/2019

Ravi s/o Laxman Kurhadekar and Ors. .vs. State of Maharashtra through
PSO P.S.Majri, Tq. Bhadrawati, Dsit. 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. A. Chawhan, Advocate for applicants.
Mr. V. A. Thakare, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : SEPTEMBER 18, 2019

Applicants are arrested in connection with Crime No.213/2019 registered with Police Station, Majri, Tq. Bhadrawati, Dist. Chandrapur for an offence punishable under Sections 65 (a) (e) and 83 of the Maharashtra Prohibition Act, Sections 279, 336, 427, 186, 188 and 34 of the Indian Penal Code and Sections 177, 179 and 184 of the Motor Vehicles Act.

The applicants are arrested on 20.07.2019. Since then they are in jail. The application is primarily opposed by learned A.P.P. on the ground that investigation is in progress. However, reply does not state anything what is the stage of investigation and why there is necessity of continuance of custodial presence of the present applicants.

According to the reply, applicant no.1 was driving Tata Tempo containing liquor and applicant nos.2 and 3 are following on motorcycle. Reply is conspicuously silent to show that prima facie they are owners of said contraband.

Though, application is opposed on the ground that investigation is in progress, investigation papers show that investigation is almost over and only formality of filing of charge-sheet is remained to be done. In addition, there are no criminal antecedents against the applicants.

In that view of the matter, I pass following order.

ORDER

- (i) The application is allowed.
- (ii) Applicant no.1-Ravi s/o Laxman Kurhadekar, applicant no.2-Pranit s/o Tukarm Zile and applicant no.3-Ravindra s/o Narayan Mandhare be released on bail in connection with Crime No. 213/2019 registered with Police Station, Majri, Tq. Bhadrawati, Dist. Chandrapur for an offence punishable under Sections 65 (a) (e) and 83 of the Maharashtra Prohibition Act, Sections 279, 336, 427, 186, 188 and 34 of the Indian Penal Code and Sections 177, 179 and 184 of the Motor Vehicles Act on they executing P.R. Bond in the sum of Rs.25,000/- each with one solvent surety each in the like amount.
- (iii) Applicants are directed to attend Police Station, Majri, Tq. Bhadrawati, Dist. Chandrapur on every Sunday till filing of the charge-sheet and shall be with the investigating officer from 03:00 p.m. to 05:00 p.m.

The application is disposed of.

JUDGE