

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

CRIMINAL APPLICATION (ABA) NO.636/2019

Rahul s/o Gendlal Choudhari .vs. State of Maharashtra through PSO P.S.
Saoli, Tq. Saoli, 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. A. Mardikar, Advocate for applicant.
Mr. V. A. Thakare, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : OCTOBER 14, 2019.

Heard Mr.Mardikar, learned counsel for applicant
and Mr.Thakare, learned A.P.P. for non applicant-State.
Also perused the reply filed by the non applicant-State.

Applicant is apprehending his arrest in
connection with Crime No.179/2019 registered with Police
Station, Saoli, Tq. Saoli, Dist. Chandrapur for an offence
punishable under Section 65(E) of the Maharashtra
Prohibition Act. According to the prosecution, one truck
bearing registration No. MH-34/AV-2113 was intercepted
by patrolling party. When it was intercepted, driver of said
truck ran away from the spot. From the truck, 40 boxes of
country liquor was seized. The investigating agency has
arrested the driver Mangesh on 03.05.2019. According to
learned A.P.P., said Mangesh is having criminal antecedents.

According to the prosecution, the present
applicant is owner of the truck. However, he was not present
on the spot. On the contrary, it is stated in the reply that the

said truck was given on rent to said Mangesh.

Further, applicant has already attended the police station and his statement is already recorded. Thus, the application can be favourably considered. Hence, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No.179/2019 registered with Police Station, Saoli, Tq. Saoli, Dist. Chandrapur for an offence punishable under Section 65(E) of the Maharashtra Prohibition Act, applicant Rahul s/o Gendlal Choudhari 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.
- (iii) Applicant shall attend the investigating officer as and when he is directed. However, for that the investigating officer shall give clear cut three day's written communication to the applicant.

The application is disposed of.

JUDGE