

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR.****LDVC CRI ABA NO. 948/2020**

Rahul s/o Gendlal Choudhari .vs. State of Maharashtra through PSO P.S.
Ram Nagar, 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. Mrdikar, Advocate for applicant.

Mr. H. D. Dubey, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 18, 2020

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

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

Applicant is apprehending his arrest in connection with Crime No.640/2020, registered with Police Station, Ram Nagar, Chandrapur for an offence punishable under Sections 65 (A) and 83 of the Maharashtra Prohibition Act. As per prosecution case, on 12.07.2020 at 11.15 in the night, on the directions of his superior, the investigating officer put naka bandi near Bangali Camp as a secret information was received that the country liquor will be entering the Chandrapur district in a pick up van. In the naka bandi, one pick up van of Tata 207 make was intercepted. That time, driver of vehicle ran away from the spot. The liquor was seized so also the truck.

As per reply filed by State before this Court, one Sonu Jaiswal was supplier of said liquor and according to prosecution case, applicant is distributor. Learned counsel for applicant submitted that said Sonu Jaiswal is already released on

anticipatory bail by learned Additional Sessions Judge, Chandrapur.

Applicant is protected by this Court (Coram : Vinay Joshi, J.) on 28.07.2020 on a condition that the applicant shall attend Police Station on every Monday between 10.00 a.m. to 12.00 noon until further orders. It is submission of learned counsel for applicant that applicant has attended police station. This particular statement is not controverted by learned A.P.P. Truck and contraband are already seized. Main accused is already released on anticipatory bail. Further, the applicant has already joined the investigation.

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

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No. 640/2020, registered with Police Station, Ram Nagar, Chandrapur for an offence punishable under Sections 65 (A) and 83 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. 15,000/- with one solvent surety in like amount.
- (iii) The applicant shall continue to remain present in the concerned Police Station on every Monday in between 10.00 a.m. to 12.00 noon, till filing of the charge-sheet.

The application is disposed of.

The order be communicated to the counsel appearing for the parties either on the e-mail address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

kahale

**Yogesh
Kahale**
Digitally signed
by Yogesh
Kahale
Date:
2020.08.18
16:39:34 +0530