

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

CRIMINAL APPLICATION (BA) NO.1165/2019

Nagraj s/o Balnarsagond Ambulwar

..VS..

The State of Mah., thr. PSO PS Saoli, Tahsil Saoli, District Chandrapur

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

Court's or Judge's Order

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Shri R.M.Daga, Counsel for the Applicant.
Shri S.M.Ghodeswar, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.

DATED : JANUARY 08, 2020.

1. Heard learned counsel Shri R.M.Daga for the applicant and learned Additional Public Prosecutor Shri S.M.Ghodeswar for the State. Also, perused reply filed by the State.

2. The applicant is arrested in connection with Crime No.413/2019 registered with Saoli Police Station, District Chandrapur for offences punishable under Section 65(A) read with Section 83 of the Maharashtra Prohibition Act, 1949 and under Section 120(B) of the Indian Penal Code.

3. As per reply, on 11.11.2019, Assistant Police Inspector Jitendra Bobade lodged a report stating therein that on 10.11.2019 a secret information was received and in pursuance to the said secret information he proceeded towards Saoli to Haramba for intercepting truck bearing

registration No.MH-31/CQ/2835. At 22:30 hours of 10.11.2019, as per the secret information, the said truck was intercepted. Driver of the said truck was one Shankar. The present applicant along with one Prashant were sitting in cabin of the said truck. On search of the said truck, it was found that the truck was fully loaded with liquor. All persons in cabin of the truck were arrested there and there only and contraband liquor was also seized. Transportation, possession, and selling of liquor are totally prohibited in Chandrapur district.

4. Learned Additional Public Prosecutor Shri M.K.Pathan for the State, primarily opposed the application for grant of bail on ground that as on today chargesheet is not filed, however his fair submission on basis of investigation papers available with him is that investigation is almost over and chargesheet will be filed in near future.

5. There is no criminal record against the applicant and he was not found in contact with main accused Amit.

6. In view of the aforesaid, I pass following order:

ORDER

(1) The criminal application is allowed.

(2) Applicant-Nagraj s/o Balnarsagond Ambulwar, in connection with Crime No.413/2019 registered with Saoli Police Station, District Chandrapur for offences punishable under Section 65(A) read with Section 83 of the

Maharashtra Prohibition Act, 1949 and under Section 120(B) of the Indian Penal Code, be released on bail on his executing a P.R.Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

(3) The applicant is directed to attend the police station twice a week i.e. on Monday and Thursday and shall be with Investigating Officer from 11:00 a.m. to 5:00 p.m., till filing of chargesheet.

(4) After filing of chargesheet, the applicant shall attend the police station once in 15 days i.e. twice a month i.e. on 1st Monday and 4th Saturday of each such month and shall be with Investigating Officer from 11:00 a.m. to 5:00 p.m., till culmination of Trial.

With this, the criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

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