

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

CRIMINAL APPLICATION (ABA) NO. 419/2021

(Manab Narendranath Roy Vs. State of Maharashtra)

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

Court's or Judge's Orders

Shri V. N. Morande, Advocate for applicant.
Shri M. J. Khan, APP for non-applicant/State.

CORAM : VINAY JOSHI, J.
DATE : 09.09. 2021.

Heard.

2. The applicant apprehends his arrest in Crime No. 28/2021 registered with the Asthi Police Station, District Gadchiroli for offence punishable under Sections 65(e), 65(f) of the Maharashtra Prohibition Act.

3. It is the prosecution case that the informant Nilkanth Pendam, Police Hawarldar lodged report on 03.02.2021 that a secret information was received by him and he proceeded along with staff and panchas to raid in the forest area. After reaching there, they found

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that one person was concealing something. On a call given by the raiding party, the accused person fled from the spot. It is alleged that the panchas identified that the present applicant was the accused who fled from the spot. Huge quantity of country liquor was seized from the spot.

4. Heard learned counsel for the applicant and the learned APP. Perused case diary.

5. *Prima facie* there appears that no material to connect the applicant with the illicit liquor seized by the Police authorities. The applicant has no criminal antecedent. The applicant was granted interim protection on 15.07.2021 and he has attended the Police Station and cooperated in the investigation. Since the illicit liquor is already seized, custodial interrogation of the applicant is not necessary at this stage. Hence, following order:-

(I) Application stands allowed in terms of interim order dated 15.07.2021.

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(II) The applicant shall attend concerned Police Station on every Sunday in between 11.00 a.m. to 02.00 p.m. till filing of charge-sheet or for the period of six months whichever is earlier.

(II) Applicant shall not tamper with the prosecution evidence.

JUDGE

Gohane.