

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

CRIMINAL APPLICATION (BA) NO. 1253 OF 2020

Shekhar Sambayya Jangolni and another

Vrs.

State of Maharashtra, thr. P.S.O. Warora, Tq. Warora, Dist. Chandrapur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M.V. Rai, Adv. for the applicant.

Shri S.A. Ashirgade, APP for the non-applicant / State.

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**CORAM : PUSHPA V. GANEDIWALA, J.
JANUARY 09, 2021.**

Heard.

2. The applicants are seeking bail in Crime No. 1057/2020 registered at Police Station Warora, Dist. Chandrapur, for the offence punishable under Sections 65(a)(e) and 83 of the Maharashtra Prohibition Act, 1949.

3. The applicant No. 1 – Shekhar Sambayya Jangolni is already released on interim bail by this Court vide order dated 16/12/2020.

4. I have perused the application, affidavit-in-reply filed on behalf of the State and the documents annexed with the assistance of leaned counsel for both the parties.

5. Apart from the allegations that the applicants have been found in possession of banned country liquor

contraband in the prohibited area, there is nothing in the reply indicating any other material against the present applicants.

6. Admittedly, there is no criminal antecedents against the present applicants. Considering the nature of the offence, this Court is inclined to grant bail to the applicant No. 2 – Sheikh Rijwan Sheikh Rasul and confirm bail to the applicant No. 1 - Shekhar Sambayya Jangolni. Hence criminal application is allowed on the following conditions :

(i) The interim bail granted to applicant No. 1 - Shekhar Sambayya Jangolni vide order dated 16/12/2020 is hereby confirmed.

(ii) The applicant No. 2 – Sheikh Rijwan Sheikh Rasul, shall be released on bail on executing Personal Bond of Rs. 25,000/- (Rs. Twenty five thousand only) with one surety in the like amount.

(iii) Both the applicants shall not issue threats or tamper the prosecution witnesses.

(iv) Both the applicants shall attend the concerned Police Station once in a month on every first Thursday of the month between 12.00 noon to 2.00 p.m.

(v) Both the applicants shall not indulge in any such type of offence.

7. Needless to mention that the observations made in this application are strictly for deciding the present application of the applicant and the trial Court shall not get influenced by the same and shall be free to decide the matter on its merits.

8. The criminal application is disposed of accordingly.

JUDGE

D.S. Baldwa