

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

946 BAIL APPLICATION NO.1990 OF 2022

SADIK LALKHAN PATHAN
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Gaikwad Satish A.
APP for Respondent-State : Ms. V. S. Choudhari.
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CORAM : S. G. MEHARE, J.
DATE : 20.12.2022

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. A crime has been registered under Sections 65(A, E), 81, 83, 90, 103 and 108 of Maharashtra Prohibition Act read with Section 328 of the IPC. Whether Section 328 of the IPC would be applied in the cases registered under the Maharashtra Prohibition Act was the issue in this case. The applicant was apprehended with liquor on 16.10.2022. The material investigation appears to have been completed against the applicant. Nothing is to be inquired from him. Hence, it would not be appropriate to keep him behind bars. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **SADIK LALKHAN PATHAN** be released on bail on furnishing P.B. and S.B. of Rs.1,00,000/- (Rupees One Lakh only) with one solvent surety of the like amount or two solvent sureties of Rs.50,000/- each, in Crime No.317 of 2022, registered by Police Station State Excise Department Squad, Nanded, for the offences punishable under Sections 65(A, E), 81, 83, 90, 103, 108 of Maharashtra Prohibition Act, 1949 and Section 328 of the IPC, on the conditions not to involve in similar crime and attend the Police Station as and when called by the Investigating Officer on written notice.

(S. G. MEHARE, J.)

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vmk/-