

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 842 OF 2022

Bapu Shankar Kolekar ...Applicant

Versus

The State of Maharashtra ...Respondent

Ms. Rui Danawala, i/b Mr. Umesh Mankapure, for the
Applicant.

Ms. M. R. Tidke, APP for the State.

CORAM: N. J. JAMADAR, J.

DATED : 23rd JUNE, 2022

ORDER:-

1. This is an application for pre-arrest bail in connection with CR No.199 of 2022, registered with Sangola Police Station, for the offence punishable under Section 328 of the Indian Penal Code, 1860 ("the Penal Code") and Sections 65(e), 65(f) of the Maharashtra Prohibition Act, 1949.

2. The indictment against the applicant is that on 23rd February, 2022, the raiding party conducted a raid in the field of the applicant at village Kola and the co-accused Harshad Jadhav was found distilling illicit liquor. The incriminating articles were seized and the samples of the illicit liquor were collected.

3. The learned counsel for the applicant submitted that, the co-accused has been released on bail. The applicant came to be arraigned as the land, where the illicit liquor was being distilled, stood in the name of the applicant.

4. In view of the aforesaid nature of the accusation, this Court had granted interim protection by an order dated 30th March, 2022.

5. Evidently, the applicant was not found at the spot. The applicant is sought to be roped in on the premise that the land where the illicit liquor was being manufactured, is owned by the applicant.

6. In the light of the aforesaid nature of the accusation, custodial interrogation of the applicant does not seem warranted. A direction to co-operate with the investigation would serve the purpose of an effective investigation.

7. Hence, the following order:

: O R D E R :

(i) The application stands allowed.

(ii) In the event of arrest of the applicant in CR No.199 of 2022, registered with Sangola Police Station, District Solapur, he be released on bail on executing a PR Bond in the sum of Rs.25,000/- and one or two sureties in the

like amount.

(iii) The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses.

(iv) The applicant shall cooperate with the investigation.

(v) The applicant shall attend Sangola Police Station on every alternate Sunday in between 10.00 am. to 1.00 pm. till filing charge-sheet.

[N. J. JAMADAR, J.]