

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 861 OF 2021

Vilas Vitthal Potu ... Applicant

Versus

The State of Maharashtra ... Respondent

.....

Ms. Ankita Salvi instructed by Mr. K.V. Moreshwar for the Applicant.

Mr. V.B. Konde Deshmukh, APP for the State.

Mr. P.U. Nikalje, Sub-Inspector, Maharashtra State Excise Department,
Bharari Pathak, Mumbai, present.

.....

CORAM : N.R. BORKAR, J.

DATED : 22 NOVEMBER 2022

P.C. :-

. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 492/MSFS/2020 registered by the Maharashtra State Excise Department, Mumbai Division, for the offence punishable under Sections 65(a)(e), 81, 83, 90 of the Maharashtra Prohibition Act, 1949.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. Pursuant to the secret information, a raid was conducted on 17 December 2020 and liquor worth Rs.11,81,025/- manufactured in the

State of Goa was found stored for the purpose of sale in the shade constructed in the agricultural field owned by co-accused Sagar Garad within the limits of village Ranmasale, Taluka and Dist. Solapur. It is alleged that about 20,000 duplicate labels on which 'For Sale In Maharashtra State only' was written, were also found during the said raid. It is alleged that during the course of investigation, it was found that the said duplicate labels were supplied to the co-accused by the present applicant.

5. This Court by order dated 23rd April 2021 granted interim anticipatory bail to the present applicant and directed him to attend the concerned police station and to cooperate in the investigation. The learned Counsel for the applicant submits that pursuant to the said order, the applicant had attended the concerned police station. The learned APP has not disputed the said fact.

6. Admittedly, the raid was conducted on 17 December 2020. On 23 April 2021, this Court granted interim anticipatory bail to the present applicant. It appears that the applicant was interrogated and nothing incriminating was found during his interrogation. Considering these facts and as there are no other criminal antecedents, I am inclined to confirm the interim anticipatory bail granted to the applicant by this Court dated 23 April 2021. The interim anticipatory bail granted to the applicant on 23 April 2021 is hereby confirmed.

7. Accordingly, Anticipatory Bail Application is disposed of.

(N.R. BORKAR, J.)