

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

ANTICIPATORY BAIL APPLICATION NO. 2606 OF 2021

Sanjay Mahadev Budhawale ..Applicant

V/s.

The State of Maharashtra ..Respondent

Mr. Vikas Killedar i/b Mr. P.G. Chavan for the Applicant.

Mr. Y.Y.Dabke, APP for the Respondent/State.

P.H. Vikas Kshrsagar attached to Sangola Police Station.

CORAM : C.V. BHADANG, J.

DATE : 16 FEBRUARY 2022

P.C.

1. Heard for some time.
2. The record discloses that there was an interim protection granted to the Applicant on 09.12.2021 on condition of attendance. It is not disputed that Applicant has attended and has co-operated with the Investigating agency.
3. The prosecution case is that in the field belonging to the Applicant, the co-accused Santosh Chavan was engaged in distillation of illicit liquor. Santosh Chavan, who was present at the time of raid, had managed to flee from the spot. However, he

was subsequently arrested and has been released on regular bail. The learned APP states that the report of the Chemical Analyst is awaited.

4. According to the learned counsel for the Applicant, the Applicant is not concerned with distillation of any illicit liquor.

5. The learned APP on instructions from the Investigating Officer states that having regard to the stage of the investigation, the Applicant may be directed to join the investigation and liberty may be granted to the prosecution to apply for modification after the receipt of report of the Chemical Analyst and/or disclosure of any other material in the investigation.

6. In such circumstances, the criminal application is disposed of in terms of order dated 09.12.2021 subject to the further condition that the Applicant shall not allow his land to be used for any such illegal purposes.

(C.V. BHADANG, J.)