

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3467 OF 2022

Suman D. Khalse

...Applicant

V/s.

State of Maharashtra

...Respondent.

Mr. Jitendra Bhardwaj i/b Mr. Ram Chavan for the Applicant.

Mrs. Veera Shinde, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.

DATE : 14.12.2022.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending her arrest in Crime No.1029 of 2022 registered at Shikrapur Police Station, Pune Rural for the offences punishable under Section 328 of the Indian Penal Code (IPC) and 65(F) of Maharashtra Liquor Prohibition Act, 1949 (MLP Act).
3. On the basis of secrete information on 19 November 2022, a raid was conducted at the house of present applicant. It is alleged that the applicant was found to be selling illicit liquor. However, according to the prosecution, the applicant on seeing the raiding party approaching towards her ran away from the place where she was allegedly selling the illicit liquor and Can containing 25 liters of illicit liquor was found there.
4. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State and perused the FIR.

5. The learned counsel for the applicant submits that there is no independent evidence to connect the applicant with alleged crime. It is submitted that even otherwise there is no need of custodial interrogation as nothing is to be recovered at the instance of present applicant.

6. The learned APP on instructions submits that there are no other criminal antecedents. Considering the facts and circumstances of the case and as there are no other criminal antecedents, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

A) The Anticipatory Bail Application is allowed.

B) In the event of arrest of the applicant in Crime No.1029 of 2022 registered at Shikrapur Police Station, Pune Rural for the offences punishable under Section 328 of the IPC and 65(F) of MLP Act, the applicant be released on bail on executing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station from 19 December 2022 to 21 December 2022 in between 11.00 a.m. and 2.00 p.m. and shall cooperate in the investigation.

[N.R.BORKAR, J.]