

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (ABA) NO.488/2021

Amol S/o. Ashok Ganveer Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. Y. P. Bage, Advocate h/f Mr. A. C. Jaltare, Advocate for the Applicant.
Mr. M. J. Khan, A.P.P. for the Non-applicant/State.

CORAM : SURENDRA P. TAVADE, J.

DATE : 14/01/2022.

1. This is an application for pre-arrest bail in Crime No.164/2021 registered with Armori Police Station, District Gadchiroli for the offences punishable under Sections 65(a), 83 and 98 of the Maharashtra Prohibition Act, 1949.

2. On 23.05.2021 the First Information Report was lodged against the applicant. It is contended that the informant received secrete information that some persons were carrying liquor in Alto Car bearing registration No. MH-31-CP-6106. Hence the said vehicle was accosted wherein the contraband liquor of Rs.1,50,000/- was seized. One person was apprehended on the spot and two other persons ran away from the spot. It is contended that the said liquor is already seized. The other persons who were found in possession of liquor have been arrested and released on bail. The Investigating Officer has filed charge-sheet against two persons. The custody of the applicant is not required as the investigation is over. The applicant was released on anticipatory bail by this Court with condition to attend concerned Police Station. He has already attended the Police

Station. Hence, the applicant prays for pre-arrest bail.

3. Notice of application was issued to the non-applicant.

4. The learned Additional Public Prosecutor has filed reply wherein it is contended that the applicant was concerned with the seizure of liquor. He ran away from the spot. It is also contended that earlier also he was prosecuted for the charge of transportation of liquor. The said case is pending. It is contended that the applicant is habitual offender. Therefore, he has prayed for rejection of the application.

5. Perused the case papers. It appears that the entire investigation is over. The contraband liquor is already seized. Therefore, the custodial interrogation of the applicant is not required. Therefore, the applicant is entitled for pre-arrest bail.

6. Hence, I pass the following order.

7. The application is allowed.

8. The interim bail granted to the applicant is hereby confirmed.

9. The application is disposed of.