

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

CRIMINAL APPLICATION (ABA) NO.682 OF 2022

Vasant Maroti Bhoyar .Vs. State of Maharashtra, through P.S.O., P.S. Chamorshi,
Dist. Gadchiroli

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

Court's or Judge's Order

Shri Arjun Deshmukh, Adv. h/f Shri R.R. Vyas, Adv. for the applicant.
Ms K.R. Deshpande, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : 07/10/2022

Heard.

2. The applicant is seeking pre-arrest bail in Crime No.237 of 2022, registered with Police Station Chamorshi, District: Gadchiroli, for the offences punishable under Sections 65(a) and 98(c) of the Maharashtra Prohibition Act.

3. In this crime, allegedly the illicit liquor worth Rs.1,22,400/- has been recovered from the accused. After going through the First Information Report (FIR), I am of the opinion that as the illicit liquor involved in the present crime has already been seized, the custodial interrogation of the applicant is not necessary.

4. Moreover, while granting *ad-interim* anticipatory bail on 22.09.2022, it was directed that the

applicant shall attend the concerned Police Station as and when his presence is required, however, the Investigation Officer did not call the applicant for investigation. This also shows that, custodial interrogation of the applicant is not necessary.

5. In the circumstances, though the learned APP is strongly opposing the application, I am of the opinion that the application needs to be allowed. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) Order passed by this Court on 22.09.2022, granting *ad-interim* anticipatory bail, is confirmed with the modification that the applicant shall attend the concerned Police Station as and when his presence is required.
- c) The State is at liberty to apply for cancellation of bail, if the applicant repeats the same offence.

The criminal application is **disposed of** accordingly.

JUDGE