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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.1111 OF 2023

PARMESHWAR S/O KARBHARI ADHE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. C.C. Deshpande h/f Mr. A.K. Bhosle
APP for Respondent/State : Mr. K.S. Patil
...

CORAM : S.G. MEHARE, J.

DATED : JULY 13, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant is seeking bail in Crime No.98 of 2023 registered with State Excise Department, A Division (Limits of Chikhalthana Police Station), Aurangabad for the offence punishable under Section 328 of the Indian Penal Code and Section 65(a)(e), 80, 81, 83 and 108 of Maharashtra Prohibition Act.
3. The prosecution has a case that during patrolling, a raid at one hotel was taken. The applicant was found in illegal possession of 16 bottles of duplicate foreign liquor with an intent to sell it. The so-called liquor was recovered from him. Whether Section 328 of the Indian Penal Code would apply in such case, is a matter of evidence. Nothing remained to be investigated. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Parmeshwar s/o Karbhari Adhe, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with the above crime, on the conditions that he shall not tamper with the prosecution witnesses.
- (iii) The applicant shall attend the State Excise Department, A Division (Limits of Chikhalthana Police Station), Aurangabad as and when called on written notice by the Inspector of State Excise Department, till filing the charge sheet.

(S.G. MEHARE, J.)