

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

ANTICIPATORY BAIL APPLICATION NO.1092 OF 2023

**PARESH SURESH GAVIT
VERSUS
THE STATE OF MAHARASHTRA**

Mr. A. K. Bhosle, Advocate for the applicant
Mrs. R.P. Gaur, APP for the respondent/State

CORAM : R. M. JOSHI, J.
DATE : 20th JULY, 2023

P.C. :-

1. Applicant apprehends arrest in connection with Crime No. 295 of 2023 registered with Navapur Police Station, Dist. Nandurbar for the offences punishable under Sections 65(e), 83, 108 of Maharashtra Prohibition Act.

2. The allegations is about the secret information being received in respect of transportation of liquor. The first information report names the present applicant and the information it was received was that the applicant and other two persons in their vehicle were escorting the truck in which the liquor was carried. Pertinently the first information report though records the number of the truck there is no mention about the registration number of the black colour Scorpio car. Even if it is not mentioned there was no number plate on the said vehicle. If there was secrete information in advance to the informant, it does not stand to any

reason as to why the informant conspicuously remains silent about the number of the said vehicle. There is reason to accept the submissions of the learned counsel for the applicant that only because there are other offence is registered against him, the present offence is also registered without there being any involvement of his in this crime. Learned APP except for the statement in the first information report was unable to show any material on record infer complicity of the applicant in this crime. Hence, though there are other antecedents recorded against him, at least in this crime he is entitled for anticipatory bail. Hence the order.

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in connection with Crime No. 295/2023, registered with Navapur Police Station, Dist. Nandurbar for the offences punishable under Sections 65(e), 83, 108 of IPC, he shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount.
- (iii) He shall attend the concerned police station once in a week till filing of the charge-sheet.
- (iii) He shall not contact the prosecutrix/ witnesses directly or indirectly.
- (iv) He shall not interfere with the evidence in any manner whatsoever.
- (v) He is further directed to cooperate the investigating agency for further investigation.

(R. M. JOSHI, J.)

ssp