

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1775 OF 2022

Rambhau Parbat Koli

...Applicant

Versus

The State Of Maharashtra & Another

...Respondents

Mr. Mohanish Thorat, Advocate for the applicant.

Mr. V.S. Badakh, APP for the respondents.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 18th JANUARY, 2023

ORDER :

1. The applicant apprehends arrest in Crime No. 352/2022, registered with State Excise, Bhusawal, Jalgaon, for offences punishable under sections 65(a) (b) (c) (d) (e) (f), 81, 83, 86, 90, 98, 108 of Maharashtra Prohibition Act and under section 328 of the Indian Penal Code.

2. On secret information raid was conducted by Excise Inspector, wherein huge quantity of spurious liquor was seized. Country liquor was being manufactured without license. Three accused persons were arrested from the spot. It is alleged that the applicant is the owner of agricultural land where the raid was effected and contraband was seized.

3. Heard the learned advocate for the applicant and learned Additional Public Prosecutor for respondents. Perused the investigation papers.

4. In the investigation, no active role of the applicant is revealed. The applicant has relied upon the agreement dated 02.11.2022 by which the applicant had given portion of said land to accused Bharat Choudhari for running 'Bhalke Aqua' business. It appears that the main accused has started illegal production of country liquor without license. However, there is no active role played by the applicant in the alleged crime. In that view of the matter, applicant deserves protection.

5. In the result, application is allowed by confirming the interim protection.

6. Till filing of charge sheet, applicant shall attend the concerned police station as and when called by the investigation officer and shall co-operate in the investigation. The applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]