



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2199 OF 2023**

Munna Ramjan Shaikh
versus
State of Maharashtra

... Applicant
... Respondent

Mr. Shailesh Chavan, for Applicant.
Mr. R.M.Pethe, APP for State.
Mr. M.S.Chavan, Flying Scod, Satara, present.

CORAM: N.J.JAMADAR, J.

DATE : 6 SEPTEMBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.137 of 2023 registered with Shirwal City Police Station, Satara, for the offences punishable under Section 328 of the Indian Penal Code and Sections 65(a), (b), (c), (e), (f), 83 and 90 of the Maharashtra Prohibition Act.
3. Having noticed that the applicant was not apprehended along with the incriminating articles, by an order dated 30 August 2023, interim protection was granted to the applicant.
4. The learned APP submits that there is material on record to show that the applicant was in contact with the co-accused who were apprehended along with the incriminating articles and the applicant has been named as a person at whose

instance the incriminating articles have been transported. It was further submitted that two cases have been registered against the applicant.

5. The learned Counsel for the Applicant submitted that the applicant has been acquitted in one of the cases and, in another case, directed to be released in the event of arrest.

6. Prima facie, the applicant was not found in possession of the illicit liquor and the utensils and apparatus used for distilling and transporting the illicit liquor. The Applicant has been arraigned on the basis of the statement of the co-accused. In the circumstances, the custodial interrogation of the applicant does not seem to be warranted.

7. The apprehension on the part of the prosecution can be taken care of by imposing certain conditions.

8. Hence, the following order :

ORDER

(i) In the event of the arrest of the Applicant – Munna Ramjan Shaikh in connection with C.R.No.137 of 2023 registered with Shirwal Police Station, the Applicant be released on bail on furnishing a PR bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(ii) The Applicant shall co-operate with the investigation and report to the Inspector, State Excise, Satara, on every Sunday from 10.00 a.m. to 12.00 for a period

of one month.

(iii) The Applicant shall not indulge in identical activities for which he has been arraigned in the instant case.

(iv) The Application stands disposed.

(N.J.JAMADAR, J.)