

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 399 OF 2023

Shankar Dattoba Gayhane ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Prashant Raul alongwith Ms. Aditi Rajput for the Applicant.
Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 6 APRIL 2023

P.C. :-

. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 293 of 2022 registered at Shikrapur Police Station, Pune (Rural) for the offences punishable under Section 328 of Indian Penal Code and Section 65(e) of the Maharashtra Prohibition Act, 1949.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. On 22 March 2022, pursuant to the secret information a raid was conducted and the present applicant was found to be distilling illicit

liquor. According to the prosecution, the present applicant could not be apprehended as he ran away from the place of incident.

5. The applicant has filed Affidavit-cum-undertaking that he will not indulge in any such activity. There appears to be no need of custodial interrogation. Considering the facts and circumstances, I am inclined to grant anticipatory bail to the present applicant. In the result, the following order is passed :

- (i) Application is allowed.
- (ii) In the event of arrest of the applicant - Shankar Dattoba Gavhane in Crime No. 293 of 2022 registered at Shikrapur Police Station, Pune (Rural) for the offences punishable under Section 328 of Indian Penal Code and Section 65(e) of the Maharashtra Prohibition Act, 1949, he shall be released on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.
- (iii) The applicant shall attend the concerned police station, once in a month i.e. on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of trial.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
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