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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1118 OF 2023

Bhupendra Nagnarayan Singh

...Applicant

vs.

The State of Maharashtra

...Respondent

....

Mr. Mithilesh Mishra, for the Applicant.

Mr. S.H. Yadav, APP, for the Respondent State.

Mr. S.S. Mahadik, PSI, N.M. Joshi Marg Police Station.

....

CORAM : ANUJA PRABHUDESSAI, J.

DATE : 19 APRIL 2023

P.C. :

This is an application under Section 438 of the Cr.P.C. for pre-arrest bail in Crime No.113 of 2023 registered with N.M. Joshi Marg Police Station, Mumbai for offences punishable under Section 65 (e) of the Maharashtra Prohibition Act, 1949.

2. Heard Mr. Mithilesh Mishra, learned Counsel for the Applicant and Mr. S.H. Yadav, learned APP for the Respondent State. I have perused the records and considered the submissions advanced by learned Counsel for the respective parties.

3. It is the case of the prosecution that, on 10 March 2023, the police had received information that liquor was stored in La Vida

Restaurant, of which the wife and mother of the Applicant are the partners. Raid was conducted and 31 bottles of alcohol were seized and other formalities were completed. The prohibited items are already seized. The maximum sentence for the offence is of five years. This is not a case, which would justify custodial interrogation. Hence, the application is allowed on the following terms and conditions :

- (i) In the event of arrest of the Applicant in C.R. No.113 of 2023 registered with N.M. Joshi Marg Police Station, Mumbai, the Applicant shall be released on bail on furnishing PR bonds in the sum of Rs.15,000/- with one or two sureties to the like amount;
- (ii) The Applicant is directed to report to the concerned Investigating Officer as and when required by the Investigating Officer and co-operate with investigation;
- (iii) The Applicant shall not tamper with the prosecution evidence and or influence the witnesses in any manner;
- (iv) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

(ANUJA PRABHUDESSAI, J.)