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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.327 OF 2024

Vijay @ Viju Raju Thakare

APPLICANT

VERSUS

The State of Maharashtra and Another

RESPONDENTS

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Ms. Rutuja L. Jakhade, Advocate for the applicant

Mrs. P. V. Diggikar, APP for respondent - State

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 24th APRIL, 2024

ORDER :

1. Applicant apprehends arrest in connection with Crime No.698 of 2023 registered with Shahada Police Station, District - Nandurbar for offence punishable under sections 420, 468 read with 34 of the Indian Penal Code and under section 65 (E) and 108 of the Maharashtra Prohibition Act.

2. FIR is lodged by Bharat Ugale, Police Constable, alleging that, on 11th December, 2023, he received a secret information that, truck bearing registration No. MH-57/AT-9879 is parked in front of one Dhaba on Shahada-Dondaicha road and it is carrying liquor without permission. Police went to said Dhaba, where said truck was parked and driver was sleeping in the cabin. On search of the Truck, liquor of Imperial Blue, Royal Blue, Royal Challenge, Ever Green Whiskey and other companies to the tune of

Rs.33,67,440/- was found.

3. Heard learned advocate for applicant and learned APP for the State. Perused the papers of investigation.

4. It appears that following offences under the Maharashtra Prohibition Act are registered against applicant :-

1. Shahada Police Station Crime No. 18 of 2008.
2. Shahada Police Station Crime No. 87 of 2011
3. Mhasavad Police Station Crime No. 15 of 2014
4. Mhasavad Police Station Crime No. 61 of 2014

5. Other accused persons in the crime are yet to be arrested. Applicant appears to be a habitual offender and is committing similar offences. Spurious liquor worth Rs.33,67,440/- which is seized, was to be delivered to applicant. It, therefore, appears that applicant was intending to sell the spurious liquor to public at large.

6. Since applicant has indulged in similar offences in the past, his custodial interrogation is necessary for effective investigation and, therefore, he is not entitled for discretionary relief of anticipatory bail.

7. Application is, therefore, rejected.

**[NITIN B. SURYAWANSHI]
JUDGE**