



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

957 ANTICIPATORY BAIL APPLICATION NO. 1293 OF 2024

GORAKH BHIMRAO GADRI

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Applicant : Mr. B.N. Magar h/f. Mr. C. C. Deshpande
APP for Respondents-State: Mr. P. K. Lakhotiya

CORAM : ARUN R. PEDNEKER, J.

DATE : 13.12.2024

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondents/State.

2] The applicant seeks pre-arrest bail in connection with Crime No. 55/2022 dated 28/01/2022 registered in Dhule Taluka Police Station, District Dhule for the offences punishable under Sections 65(a), 65(e), 80, 83, 108 of the Maharashtra Prohibition Act, 1949.

3] It is the case of the prosecution against the applicant that the foreign liquor which was seized by the prosecution was to be delivered to the applicant by the driver of the vehicle which was seized on the highway. Apart from the statement of the co-accused i.e. the driver who has made a statement that the goods were to be delivered to the present applicant, there is no other material available with the prosecution connecting the applicant with the seized liquor or the vehicle. There is no telephonic conversation or any other connecting evidence supporting the case of the prosecution. This Court by order dated 29/07/2024 granted interim protection to the applicant. The learned advocate for the applicant submits that thereafter he has cooperated with the investigation.

4] In view of the above, the application is allowed and the interim protection granted to the applicant on 29.7.2024 is confirmed on the following terms :

i] The applicant shall attend the concerned police station as and when required.

ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

5] In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

6] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

7] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

PRW