



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

984 ANTICIPATORY BAIL APPLICATION NO. 1337 OF 2024

Shriram Motiram Babar
VERSUS
The State Of Maharashtra

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Advocate for Applicant : Mr. Siddhesh S. Ghodke
APP for Respondents: Mrs. M. L. Sangit

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CORAM : SHIVKUMAR DIGE, J.
DATED : 5th SEPTEMBER, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No.170 of 2024 registered with Nizampur Police Station, district Dhule, for the offences punishable under Sections 328 r.w. 34 of the Indian Penal Code and Sections 65(e), 65(a) and 83 of Maharashtra Prohibition Act, 1949.

2. It is the prosecution's case that on the basis of secret information, on 20.6.2024 when the police effected raid, accused Nos. 1 to 3 were found transporting and possessing country liquor at village Vehergaon and therefore, they came to be arrested. The articles and the liquor came to be seized. The accused Mahendra disclosed that they purchased the liquor from the applicant.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. On the basis of the statement of co-accused, the name of the applicant is mentioned. The police has seized the liquor from the vehicle of accused Nos 1 to 3. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is the contention of the learned APP that accused Nos. 1 to 3 are fond with spurious liquor. The said liquor was purchased from the applicant. To know the source of liquor, the custodial interrogation of the applicant is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and the police papers produced on record. The allegations against the applicant are that the seized liquor was sold by the applicant to accused Nos. 1 to 3. The police have seized the liquor from accused Nos. 1 to 3. The applicant has no criminal antecedents. Considering the allegations against the applicant, his custodial interrogation is not required and I pass the following order :-

ORDER

(i) The application is allowed.

(ii) The interim anticipatory bail granted to the applicant vide order dated 6.8.2024 stands confirmed on the same terms and conditions.

(SHIVKUMAR DIGE, J.)

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