

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

ANTICIPATORY BAIL APPLICATION NO.113 OF 2024

Manojkumar Ramlakhan Singh	 Applicant
versus	
State of Maharashtra	 Respondent

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- Ms. Neha Bhavsar a/w V. K. Dubey i/b. V. K. Dubey Associates, Advocate for Applicant.
- Ms. Sharmila S. Kaushik, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 16th JANUARY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.111/2023, dated 19/12/2023, registered with Excise Department 2, Sewri, Mumbai, under sections 65(a)(e), 83, 90, 98, 103 of Maharashtra Prohibition Act.

2. Heard Ms. Neha Bhavsar, learned counsel for the Applicant and Ms. Sharmila S. Kaushik, learned APP for the State.

3. The FIR is lodged by Constable Vinod Ahire. He has stated that Inspector Prakash Kale received an information that place called M/s. Manoj Transport, Godwon No.46, Solapur Street, Dana Bandar, Mumbai, was the godown in which the foreign liquor in large quantity was stored. The investigating agency conducted raid on that godown. There were foreign liquor bottles kept in boxes. One Naresh Ravani was found there. He was asked about the further information regarding more stock in the two containers. The investigating agency came to know that those containers were parked at MBPT parking, Wadibundar. Out of those containers, one container had large stock of foreign liquor. All these liquor bottles were seized. In all seized goods were worth Rs.1,01,60,935/-.
4. Learned counsel for the Applicant submitted that the Applicant has nothing to do with the storage of the liquor bottles. The FIR itself mentions presence of one Naresh. There is a reference to co-accused Jishan Qureshi who was to collect those bottles. This itself shows that the bottles belong to Jishan

and not to the present Applicant. There is nothing to show that the godown or the container belongs to the present Applicant.

5. Learned counsel for the Applicant submitted that the Applicant is apprehending ill-treatment and assault at the hands of the Investigating Officer if arrested. She submitted that the Investigating Officer is calling the Applicant and abusing him.
6. Learned APP submitted that the allegations against the Investigating Officer are not true. She conceded that at this stage of investigation, the investigating agency does not have any definite material to show the Applicant's connection either with the godown or with the container. She submitted that it is necessary to question the Applicant in that behalf. But he is avoiding to attend the investigating agency's office. She submitted that some attendance be given to the Applicant, so that the investigating agency can question him.
7. Considering this situation, today I am adjourning the matter with ad-interim protection.

8. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.111/2023, dated 19/12/2023, registered with Excise Department 2, Sewri, Mumbai, till the next date, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The Applicant shall attend the concerned Police Station on 29/01/2024, 30/01/2024 and 31/01/2024 between 01.00 to 05.00 p.m. and and thereafter as and when called and shall cooperate with the investigation.
- (iii) This order shall operate till 15/02/2024.
- (iv) Stand over to 15/02/2024.

(SARANG V. KOTWAL, J.)