



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.100 OF 2024

Shahrukh Jalil Beg

Vs.

State of Maharashtra, Through Police Station Officer, Police Station,
Wardha City, District Wardha

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Mir Nagman Ali, Advocate for applicant.

Mr. A. R. Chutke, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 22/02/2024

1. Apprehending the arrest at the hands of Police in connection with Crime No.9/2024 registered with Police Station, Wardha City, District Wardha for the offences punishable under Sections 268, 272, 328 and 420 of the Indian Penal Code, 1860 and under Sections 65(e) and 77(a) of the Maharashtra Prohibition Act, 1949, the applicant approached this Court for grant of pre-arrest bail.

2. The accusation against the present applicant is on the basis of report lodged by Police Constable B.No.656, Sanjay Dadaji Panchbhai alleging that on 31.12.2023, A.S.I. Sandip Gade who is a member of Special Squad of S. P. Office, had been to Police Station, Wardha City and informed that in the closed house of the applicant at Burad Mohalla, Itwara Bazaar, Wardha had stored the stock of

country and foreign liquor. Thus, the allegation against the present applicant is that he has stored the foreign liquor as well as the country liquor without any permit and that is also in the area wherein the said contraband articles are prohibited. The recitals of the FIR further shows that the huge stock of worth of Rs.9,30,200/- was seized during the raid. On the basis of said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted now, entire stock is already recovered and custodial interrogation of the present applicant is not required. In view of that, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the application and submitted that the huge stock is seized by the investigating agency during the investigation and custodial interrogation of the present applicant is required to ascertain the procurement of the said stock. He further submitted that the similar nature of the crimes are already registered against the present applicant. In view of that, application deserves to be rejected.

5. Having heard the learned Counsel for the applicant and learned APP for the State. Perused the investigation papers, it reveals that huge stock worth of Rs.9,30,200/- was seized from the custody of the

present applicant. It further reveals that the foreign liquor of various brands was stored by him in the rented house. There are criminal antecedents against the present applicant which are of similar nature. Admittedly, the custodial interrogation of the present applicant is required to ascertain the facts from which place he has procured the said stocks and, therefore, the prayer of anticipatory bail deserves to be rejected. Accordingly, I proceed to pass following order.

ORDER

The application is rejected.

(URMILA JOSHI-PHALKE, J.)