



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPLICATION (ABA) NO.209 OF 2024**

(Amit s/o Laxman Gotpartiwar Vs. The State of Maharashtra)

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

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Mr. R.M. Daga, Advocate for the applicant.  
Mr. N. Autkar, APP for the State.

**CORAM:- URMILA JOSHI-PHALKE, J.**  
**DATED :- MAY 7, 2024.**

Heard.

2. By this application, the applicant is seeking pre-arrest bail. The applicant is apprehending arrest at the hands of police in connection with Crime No.50/2024 registered with State Excise Department/Police station Chandrapur/Gadchiroli for the offence punishable under Sections 65(e), 80, 81, 83, 90 and 103 of the Maharashtra Prohibition Act, 1949 and Section 328 read with Section 34 of the Indian Penal Code.

3. Learned Counsel for the applicant submitted that the involvement of the present applicant appears to be on the basis of statement made by the co-accused. In fact, the recitals of the FIR itself shows that the stock is recovered or seized from the abandoned house. At this stage, immediate custodial interrogation of the present applicant is not required. He further submitted that after protecting him by granting ad-interim protection he has cooperated with the investigating agency. In view of that,

the interim protection granted to the applicant deserves to be confirmed.

4. Learned Additional Public Prosecutor strongly opposed the application on the ground that huge stock is seized by the investigating agency but fairly admitted that the applicant has cooperated with the investigating agency.

5. I have heard learned Counsel for both the parties. Perused the FIR from which it reveals that the name of the present applicant is implicated in the alleged offence on the basis of statement of the co-accused. The stock is already recovered and nothing is to be recovered from the present applicant. As far as the custodial interrogation is concerned, it appears that he has already cooperated with the investigating agency. In view of that, interim protection granted to the present applicant deserves to be confirmed.

6. Hence, the application is allowed and the interim protection granted to the applicant vide order dated 28/03/2024 is hereby confirmed on the same terms and conditions.

7. The application is disposed of.

**(URMILA JOSHI-PHALKE, J.)**