



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

CRIMINAL APPLICATION (ABA) NO. 255 OF 2024

Aishwarya Milind Jaiswal and another V/s State of Maharashtra

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

Court's or Judge's Order

Mr. V.S.Sambre, counsel for Applicants.
Mr. S.Joshi, APP for Non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 11/06/2024.

1. Apprehending the arrest at the hands of Police, in connection with Crime No. 95/2024 registered with Police Station Wardha for the offences punishable under Sections 268, 272, 328 and 420 of the Indian Penal Code, and under Sections 65(e), 77(a) and 83 of the Maharashtra Prohibition Act, 1949, the applicants approached this Court for grant of pre-arrest bail.

2. The accusation against the present applicants is on the basis of secret information received by the Police, that applicants have possession of storage of illicit liquor along-with the co-accused. Immediately, raid was conducted and stock was seized. As per contention of the learned counsel for the applicants that contraband articles are not seized from the possession of the present applicants, only their names are mentioned, no specific role is attributed to them. Now, the stock is already seized, their custodial interrogation is not required.

3. Learned APP strongly opposed the application on the ground that custodial interrogation is required, as the huge stock is recovered. In view of that, prayer for grant of anticipatory bail deserves to be rejected.

4. After hearing learned counsel for the applicant and learned APP for the State, perused the investigation papers, from which, it reveals that the storage of the liquor is already seized by the investigating officer. As far as the specific role of the present applicants is concerned, which is not mentioned. The articles are not seized from the possession or from the property of the present applicants. Considering the role attributed to the present applicants, the interim protection granted to the applicants deserves to be confirmed. Accordingly, I proceed to pass the following order:

In the event of their arrest, the applicants – (1) Aishwarya Milind Jaiswal and (2) Rani Ravikumar Jaiswal shall be released on anticipatory bail, in connection with Crime No. 95/2024 registered with Police Station Wardha for the offences punishable under Sections 268, 272, 328 and 420 of the Indian Penal Code and Sections 65(e), 77(a) and 83 of the Maharashtra Prohibition Act, 1949, on executing P.R. Bond of Rs. 25,000/- each with one solvent surety in the like amount, on the similar terms and conditions which are imposed by the order dated 15/04/2024.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]