



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

CRIMINAL APPLICATION (ABA) NO.301 OF 2024

(Kavita w/o Mohan Malot Vs. 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. K.N. Jain, Advocate for the applicant.
Mr. S.S. Hulke, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JUNE 18, 2024.

By this application, the applicant is seeking pre-arrest bail in connection with Crime No.80/2024 registered with Police Station Virur, District Chandrapur for the offence punishable under Section 328 of the Indian Penal Code and under Section 65(f) of the Maharashtra Prohibition Act, the present applicant approached to this Court for grant of pre-arrest bail.

2. Learned Counsel for the applicant submitted that on 18/03/2024 police have conducted the raid at the house of the present applicant and the stock of illicit liquor was seized by the police. As the stock was seized from her house, she is arraigned as an accused, in fact, she is not connected with the alleged offence. Now stock is already recovered, her custodial interrogation is not required, and therefore, she be protected by granting anticipatory bail.

3. Learned APP strongly opposed the application on the ground that there are criminal antecedents against the present applicant, and therefore, the application deserves to be rejected.

4. I have heard learned Counsel for both the parties. Perused the recitals of the FIR. Admittedly, the stock is recovered from the house of the applicant however, she was not found at the house. Now the stock is already recovered. Merely because there are criminal antecedents is not sufficient to curtail her liberty. In view of that, the ad-interim protection granted to the present applicant deserves to be confirmed.

5. Hence, the application is allowed. The ad-interim protection granted to the present applicant vide order dated 02/05/2024 is hereby confirmed on the same terms and conditions.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)