



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

CRIMINAL APPLICATION (ABA) NO. 306 OF 2024

Mithun s/o Mahadev Shah

Vs.

State of Maharashtra, Thru. Inspector Excise Dept. Parseoni, Nagpur and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. G.D. Dani, Advocate for applicant.

Ms. Trupti Udeshi, APP for non-applicant/State.

CORAM : SMT. URMILA JOSHI PHALKE, J.

DATE : 16.07.2024

Apprehending the arrest at the hands of police, in connection with Crime No.30/2024, for the offence punishable under Sections 65 (a), (b), (c), (d), (e), (f), 81, 83, 90 and 98 of the Maharashtra Prohibition Act, 1949, the applicant approached to this Court for grant of pre-arrest bail.

2. The accusation against the present applicant is on the basis of report lodged by one colleague Jumnaake alleging that on secrete information, the raid was conducted and the stock of illicit liquor was seized from the accused No.1 – Akshay Anand Shah, on the basis of said report, police have registered the crime.

3. Learned counsel for the applicant submitted that after the applicant is protected by this Court by granting ad-interim protection, he has cooperated with the investigating agency, he has supplied all the information which is required for the investigation purpose including his bank statements etc. Thus, his custodial interrogation is not required and therefore, interim protection granted to the applicant deserves to be confirmed.

4. Learned APP strongly opposed the said application on the ground that huge stock is recovered and therefore, the custodial interrogation is required.

5. Considering the fact that the entire stock is already recovered and the applicant has already furnished the necessary information to the Investigating Officer which is required for the investigation purpose. The physical custody of the present applicant is not required, in view of that the interim protection granted to the present applicant deserves to be confirmed on the similar conditions imposed by this Court by order dated 03.05.2024, in view of that, I proceed to pass the following order : -

ORDER

(a) The interim protection granted to the present applicant is confirmed on the similar conditions imposed by this Court by order dated 03.05.2024.

6. The criminal application is disposed of.

(SMT. URMILA JOSHI PHALKE, J)