



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

CRIMINAL APPLICATION (BA) NO.909 OF 2024

Yogesh Vilas Pradhan

Vs.

State of Maharashtra, Through Police Station Officer, Police Station,
Rajapeth, District Amravati

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

Court's or Judge's orders

Mr. S. B. Gandhe, Counsel for the applicant.

Mr. C. A. Lokhande, APP for non-applicant /State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 11/10/2024

1. The applicant came to be arrested on 09.08.2024 in connection with Crime No.474/2024 registered with Police Station, Rajapeth, District Amravati for the offences punishable under Sections 340(2), 336(2), 318(4), 123 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 90, 86, 83, 65(e), 65(d), 65(c), 65(a), 108 of the Maharashtra Prohibition Act, 1949.

2. The accusation against the present applicant is on the basis of report lodged by ASI Manish Manoharrao Wakode on an allegation that when he was on patrolling duty, he received secret information that some persons were involved in manufacturing the illicit liquor in the MIDC Plot No.E-26. He immediately conducted the raid in presence of the panchas and during the raid, the

illicit liquor worth Rs.1,19,000/- was seized from the spot of the incident. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel Mr. Gandhe for the applicant submitted that as far as the present applicant is concerned, he is an employee. His involvement is not in the manufacturing of illicit liquor. Now, the entire articles i.e. the illicit liquor as well as the articles which are used for manufacturing the liquor are already seized, further incarceration of the present applicant is not required.

4. Learned APP strongly opposed the said application and submitted that as far as the stock is concerned which was seized along with the articles which are used for manufacturing the liquor.

5. Thus, considering the submission made by both the sides and on perusal of the recitals of the FIR, it reveals that all the articles are already seized. As far as further incarceration is concerned, which is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) The applicant **Yogesh Vilas Pradhan** shall be released on bail in connection with

Crime No.474/2024 registered with Police Station, Rajapeth, District Amravati for the offences punishable under Sections 340(2), 336(2), 318(4), 123 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 90, 86, 83, 65(e), 65(d), 65(c), 65(a), 108 of the Maharashtra Prohibition Act, 1949, on executing PR Bond of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

(iv) The applicant shall not indulge himself in a similar type of the crime.

(v) On contravention of any of the conditions imposed, the bail granted to the present applicant deserves to be cancelled.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)