



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

929 ANTICIPATORY BAIL APPLN NO. 1998 OF 2024

**PRITAM @ KALU VISHNUPRASAD SHARMA
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicant : Mr.C.C.Deshpande h/f.
Mr.K.A.Sharma
APP for Respondent-State : Mr.S.P.Sonpawale
...

**CORAM : ARUN R. PEDNEKER, J.
DATE : 28.02.2025**

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is apprehending arrest in connection with Crime No. 547/2024, registered with Navapur Police Station, District Nandurbar, for the offence punishable under Section 65 (E) of the Maharashtra Prohibition Act, 1949.

3] This Court, by order dated 17.12.2024, has granted interim protection in favour of the applicant for the submissions and reasons stated in para nos. 3, 4 and 5, as noted below :

3] The case against the applicant is that the police on the basis of secret information received raided the premises in which liquor was found of around 70 boxes. The raiding party aware from the secret information that the applicant is the owner of the liquor and the room in which the liquor was kept is also owned by him.

It is the case of the applicant that for about last 12 years he is not using the premises at all and the premises is not in his possession. The learned counsel for the applicant submits that somebody has misused the premises.

The learned counsel for the applicant submits that there are 2 rooms in which the liquor was found, although, the room is abandoned premises for about last 12 years and also the applicant resides at different place.

4] The learned counsel for the applicant submits that he would produce all the records as regards his present residence is concerned and that he submits that the applicant has no connection with the room in which the liquor was found as it is abandoned premises next to railway station for about last 12 years and the premises was used by some other person. He submits that he would produce the proof about the residence of the applicant.

5] Considering the above submissions and as there is no other connecting material available, interim protection is granted to the applicant till the next date of listing.

4] The learned counsel for the applicant submits that in pursuance of the order dated 17.12.2024, the applicant has attended the concerned police station and has

co-operated with the investigation. There is nothing further adverse against the applicant.

5] The learned APP submits that the information is not given by the applicant from where liquor is procured. However, the learned counsel for the applicant submits that he has no control over the premises in which the liquor was found and he is not the owner of the liquor seized.

6] Considering this aspect of the matter, the interim protection granted by order dated 17.12.2024 stands confirmed in the following terms :

i] The applicant shall attend the concerned police station as and when required by the investigating officer.

ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

7] In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

8] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC