



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

Criminal Application (ABA) No. 26 of 2025

Amit S/o Arun Dakua

Versus

The State of Maharashtra through Police Station Officer, Police Station
Chamorshi, Gadchiroli

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

Court's or Judge's Order

Shri B.H.Tekam, Advocate for the applicant.

Shri V.A.Thakare, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 27th JANUARY, 2025.

Apprehending the arrest at the hands of police in connection with Crime No. 410 of 2024 registered with Police Station, Chamorshi, District Gadchiroli for the offences punishable under Sections 281 of the Bharatiya Nyaya Sanhita, 2023 and under sections 65(a), 83 and 98(2) of the Maharashtra Prohibition Act.

2. The crime is registered on the basis of report lodged by the Police Head Constable Akbarshaha Fulsay Poyam on an allegation that while they were on

patrolling duty, they received a secret information that some persons are transporting the illicit liquor. Therefore, they intercepted the vehicle bearing No. MH-36 F-0932, however, nobody was found along with the vehicle and they have seized the illicit liquor worth Rs.8,24,000/-. On the basis of said report, police have registered the crime.

3. Learned counsel for the applicant submitted that as far as the present applicant is concerned, he was found on the spot. The vehicle is also not involved in the said crime. Thus, there is absolutely no material to connect with the alleged offence. He submitted though there are criminal antecedents against the applicant but he charged on the basis of suspicious ground. In view of that, the applicant be protected by granting ad-interim bail.

4. Learned Additional Public Prosecutor strongly opposed the said application and submitted that during the investigation it reveals that the present applicant run away from the spot when the vehicle was intercepted. There are criminal antecedents of similar nature against the applicant. Huge stock was seized from the vehicle. Considering all these aspects, the application deserves to be rejected.

5. After hearing both the sides and on perusal of the investigating papers, it reveals that the huge stock of Rs.8,24,000/- is seized. The recitals of the FIR itself shows that the applicant was seen eloping from the spot of incident. There are similar type of the offences registered against the present applicant.

6. Considering the *prima facie* material against the present applicant, the application deserves to be rejected. Accordingly, I proceed to pass the following order.

i] Criminal application is rejected.

[URMILA JOSHI-PHALKE, J.]