



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

CRIMINAL APPLICATION (BA) NO.428 OF 2025
(Ganesh s/o Narendra Naitam 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. R.R. Vyas, Advocate for the applicant.
Mrs. M.A. Barabde, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MAY 6, 2025.

By this application, the applicant is seeking bail as he came to be arrested on 07/03/2025 in connection with Crime No.107/2025 registered with Police Station Chamorshi, District Gadchiroli for the offences punishable under Sections 65(a), 83 and 98 of the Maharashtra Prohibition Act, 1949.

2. The allegation against the present applicant is on the basis of report lodged by the Police Officer that he received a secret information that by vehicle No.MH-49-BB-2627 some persons are transporting illicit liquor, therefore, he intercepted the vehicle and arrested the present applicant and the another co-accused. During the raid the illicit liquor worth of Rs.4,00,000/- was seized. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that as far as further incarceration of the applicant is

concerned, which is not required. For the sufficient period the applicant is incarcerated. As per the reply filed by the State only one offence is registered against him previously bearing Crime No.604/2023. The entire material is already seized, therefore, further incarceration of the applicant is not required.

4. Learned APP strongly opposed the application and submitted that the statement as to the previous antecedent is not made by the present applicant. Moreover, investigation is still in progress, charge-sheet is yet to be filed. In view of that, the application deserves to be rejected.

5. I have heard learned Counsel for both the sides and on perusal of the recitals of the FIR and the investigation papers it reveals that one crime is registered against the present applicant. As far as the present crime is concerned admittedly huge stock is recovered from the present applicant but now, investigation is practically completed though charge-sheet is not filed. Entire material is already seized. In view of that, further incarceration of the applicant is not required. Accordingly, I proceed to pass the following order.

(i) The criminal application is allowed.

(ii) The applicant - Ganesh s/o Narendra Naitam in connection with Crime

No.107/2025 registered with Police Station Chamorshi, District Gadchiroli for the offences punishable under Sections 65(a), 83 and 98 of the Maharashtra Prohibition Act, 1949, be released on bail on executing P.R. Bond of Rs.1,00,000/- with one solvent surety in the like amount.

(iii) The applicant shall not indulge himself in similar type of the offence. A single registration of the offence would lead to the cancellation of bail.

(iv) The applicant shall not induce, threat or promise any witnesses, who are acquainted with the facts of the case either personally or by way of electronic media.

(v) The applicant shall attend the proceedings before the trial Court without seeking any exemption unless there are exceptional circumstances.

6. The criminal application is disposed of.

(URMILA JOSHI-PHALKE, J.)