



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

CRIMINAL APPLICATION (ABA) NO. 375 OF 2025

Mr. Chirojit s/o Shivpad Sarkar 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. Rajas P. Durge, counsel for applicant.

Mr. Anant Ghogre, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 23/06/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No. 74/2025 registered with Police Station Ashti, Tah. Chamorshi, District Gadchiroli for the offence punishable under Section 65 (f) of the Maharashtra Prohibition Act, 1949, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of a report lodged by Prakash Bhagirath Borkute, Police Constable, on an allegation that they have received the secret information regarding the preparation of illicit liquor in a forest premises, he immediately, along with the other raiding party members, conducted a raid, and the applicant fled away from the spot of the incident. On the basis of the said report, police have registered the crime against the present applicant.

3. Heard learned counsel for the applicant, who submitted that a similar type of crime was registered against

the present applicant vide Crime No. 75/2025, wherein even the timing is also shown to be the same. From that, it reveals that with the false and baseless allegations, both the crimes are registered against the present applicant. Moreover, the material is already seized, so custodial interrogation of the present applicant is not required.

4. Learned APP strongly opposed for the same and submitted that considering the applicant was found preparation of manufacturing the illicit liquor, his custodial interrogation is required. Hence, the application deserves to be rejected.

5. On hearing both sides and on perusal of the recitals of the FIR and the investigation papers, it reveals that two raids are shown on the same name and same time. In another crime, the applicant is already protected by granting anticipatory bail. In the present case also, the material evidence is already seized, and custodial interrogation is not required; in view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

a] Criminal Application is **allowed**.

b] In the event of arrest in connection with Crime No. 74/2025 registered with Police Station Ashti, Tah. Chamorshi, District Gadchiroli for the offence punishable under Section 65 (f) of the Maharashtra Prohibition Act, 1949, the applicant- ***Mr. Chirojit s/o Shivpad Sarkar*** shall be released on anticipatory bail on furnishing

P. R. Bond in the sum of Rs. 25,000/- with one solvent surety in the like amount.

- c] The applicant shall attend the concerned police station once in a week on every Monday between 10.00 a.m. to 01.00 p.m. and shall cooperate with the investigating agency.
- d] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

Criminal Application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]