



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

CRIMINAL APPLICATION (ABA) NO. 456 OF 2025

Swapnil @ Shubham s/o Maroti Shende 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, counsel for applicant.

Mr. N.R.Rode, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 09/07/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No. 653 of 2024 registered with police station Gadchiroli, District Gadchiroli for the offence punishable under Sections 65(e) and 68 of the Maharashtra Prohibition Act, 1949, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned counsel for the applicant, who submitted that the investigating officer has received a secrete information on the basis of which he conducted a raid and huge stock of illicit liquor was seized by him. As far as the presence of the applicant is concerned, was not found at the spot of incident. As per the allegation, he fled away from the spot of incidence. He submitted that along with the said illicit liquor, the amount of Rs. 21,86,000/- is also seized, which was returned back to the father of the present applicant by order of the

Magistrate. Thus, he submitted that as far as the custodial interrogation is concerned, which is not required, in view of that, he be protected by granting anticipatory bail.

3. Learned APP strongly opposed the said application and submitted that there are four offences registered against the present applicant of a similar nature. If he is released on anticipatory bail, he would be involved similar type of instances. He further submitted that his custodial interrogation is required for the interrogation purpose.

4. On hearing both sides and on perusal of the investigation papers it reveals that the involvement of the present applicant is not only in the present crime, but also, in another four crimes, which are of the similar nature. Admittedly, the entire stock is already recovered and the contentions of the learned APP is that, his custodial interrogation is required for the purpose of interrogation, which can be taken care of by imposing certain conditions. 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. 653 of 2024 registered with Police Station Gadchiroli, District Gadchiroli for the offence punishable

under Sections 65(e) and 68 of the Maharashtra Prohibition Act, 1949, the applicant – ***Swapnil @ Shubham s/o Maroti Shende*** shall be released on anticipatory bail on executing PR. Bond of Rs. 1,00,000/- with one solvent surety in the like amount.

- c] The applicant shall attend the concerned police station once in a week on Monday between 10.00 a.m. to 01.00 p.m. and shall cooperate with investigating agency.
- d] The applicant shall not indulge himself in similar types of activities.
- e] A single registration of the offence would lead to cancellation of bail.
- f] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

Criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]