



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

CRIMINAL APPLICATION (ABA) NO. 558 OF 2025

Ajay Arun Chichghare 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 the applicant.

Mr. M.J.Khan, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 06/08/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No. 495 of 2025 registered with Police Station Gadchiroli, District Gadchiroli for the offence punishable under Sections 65(a), 65(e), 83 of the Maharashtra Prohibition Act, the applicant approached this Court for grant of pre-arrest bail.

2. The crime was registered on the basis of a report lodged by informant who is a police officer on an allegation that on receipt of the secret information, they conducted a raid at the house of the present applicant and the other co-accused, and during the raid, the illicit liquor worth of Rs. 8,52,800/- along with the vehicle was found. At the relevant time, the present applicant fled away from the spot of incidence. 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 involvement of the present applicant is only on the basis of the statement of the co-accused. Except the statement of the co-accused, there is no material to show that the applicant was in possession of the said illicit liquor. In view of that, the applicant be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application and submitted that there are five criminal antecedents against the present applicant. Out of that, four offences have been registered under the provision of the Maharashtra Prohibition Act. The spot panchanama shows that when the raid was conducted, at the relevant time, the present applicant fled away from the spot of incidence. Moreover, the vehicle was seized from the courtyard of the house of the present applicant. Thus, the investigation report shows that the applicant, who was released on bail, misused the liberty and committed similar type of the offences. In view of that, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it reveals that the illicit liquor was seized from the vehicle, which was parked in the courtyard of the house of the present applicant. The investigation papers shows that the earlier four offences are registered against the present applicant are of a similar nature, wherein he was released on bail. Thus,

there is substance in the submission made by the learned APP that, the present applicant has misused his liberty and he was involved on the similar type of the offences. The spot panchanama also shows that after conducting a raid, the applicant has fled away from the spot of incidence.

6. Thus, considering all these aspects and considering the fact that in earlier offence, the applicant was released on bail but he has misused the liberty, and his involvement is found in the similar type of the offences, in view of that, the application deserves to be rejected. Accordingly, I proceed to pass the following order.

The criminal application is **rejected**.

[URMILA JOSHI-PHALKE, J.]