



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

CRIMINAL APPLICATION (ABA) NO. 644/2025

Nirmal s/o. Ankalu Dhamgaye Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. C. Jaltare, Advocate for the Applicant.
Mr. A. J. Gohokar, A.P.P. for the Non-applicant/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 03/10/2025.

. Heard.

2. The applicant has apprehension of arrest in Crime No.42/2025 registered at Police Station Korchi, District Gadchiroli for the offences punishable under Sections 65(a), 83, 98 of the Bombay Prohibition Act.

3. It is the case of the prosecution that on the basis of the information received that one vehicle is passing through Deori to Korchi transporting illicit liquor, the raid was conducted. The person, who was in the vehicle made a statement that he is working for this applicant and his son and the liquor was belonged to this applicant and his son. The person was taken in custody.

4. The learned Counsel for the applicant has stated that on the statement made by the co-accused, the crime is registered against this applicant. Said statement is inadmissible. There are antecedents against his applicant. The applicant is ready to abide all conditions imposed by this Court. Hence, prayed to release him on anticipatory bail.

5. The learned A.P.P. opposed the application stating that there are 27 antecedents against this applicant.

In one of the trial, NBW is issued against this applicant as he is not attending the trial. Considering the nature of the offence and as the applicant is the habitual offender and his son is also involved in it, modus operandi is same. Hence, prayed to reject the application.

6. Heard both the learned Counsel for the respective parties.

7. There are number of offences registered against this applicant and his son. In the earlier cases also, on the statement of the co-accused the crime is registered. The vehicle and the liquor were seized. The person, who was in the said vehicle is arrested. Learned A.P.P. has stated that the applicant has not attended the case which is pending against him and NBW is issued. There is substance in the submission of the applicant that as he was not protected in this crime, he remained absent before the Court. The applicant is ready to abide the conditions imposed by this Court. Hence, a case is made out to protect the applicant by granting anticipatory bail. Accordingly, I pass following order:

i] It is directed that in the event of arrest of the applicant in connection with Crime No.42/2025 registered at Police Station Korchi, District Gadchiroli for the offences punishable under Sections 65(a), 83, 98 of the Bombay Prohibition Act, he shall be released on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- with one solvent surety in the like amount.

ii] The applicant shall attend the concerned police station once in a week on Monday between 10:00 a.m. to 1:00 p.m. and shall cooperate with the Investigating Agency.

iii] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

iv] The applicant shall not leave the Gadchiroli District without permission of the District Court.

The application stands disposed of.

(MRS. VRUSHALI V. JOSHI, J.)