



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

CRIMINAL APPLICATION (ABA) NO. 683 OF 2025

Shan s/o Nitai Adbar 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.M. Daga, counsel with Mr. FN. Haidhari, counsel for applicant.
Ms. M.A. Barbde APP for non-applicant/State.

CORAM : MRS. VRUSHALI V. JOSHI, J.
DATED : 25/09/2025.

1. Heard.
2. Apprehending arrest at the hands of police in connection with Crime No.95/2025 registered with Police Station Ashti, District Gadchiroli for the offence punishable under Section 65(a) of the Maharashtra Prohibition Act, 1949, the applicant approached this Court for grant of pre-arrest bail.
3. It is alleged that the applicant was transporting the illicit liquor in his vehicle. Upon noticing the police, he ran away from the spot. The liquor was subsequently seized, and the crime was registered.
4. Learned counsel for the applicant submitted that although allegations have been made suggesting he is the owner of the said vehicle, he was not found at the spot. The liquor has already been seized, and hence, there is no further necessity for his custodial interrogation.

5. Learned APP strongly opposed the application and submitted that the Chemical Analysis (C.A.) Report confirms that there is percentage of ethyl alcohol. It was also submitted that the vehicle is not registered in the name of the applicant. Therefore, the APP prayed for the rejection of the application.

6. Heard learned counsel for both the parties.

7. On perusing the recitals of the FIR, it appears that the offence is registered under Section 65(a) of the Maharashtra Prohibition Act. The C.A. report confirms that seized articles contents ethyl alcohol. However, the fact of ownership of the vehicle and the applicant's involvement will be considered at the time of trial. At this stage, there is no material on record to connect the applicant in the commission of offence. Hence, the custodial interrogation of the applicant is not necessary. The applicant has attended the concerned police station and cooperated with the investigating agency. Accordingly, I proceed to pass the following order:

- a) The criminal application is allowed.
- b) The order dated 11/09/2025 granting ad-interim anticipatory bail is confirmed on the same terms and condition.
- c] The contravention of any of the conditions would lead to the cancellation of bail.

(MRS. VRUSHALI V. JOSHI, J.)