



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.563 OF 2025

(Rajendra Gangaram Yadav 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. A.G. Hunge, Advocate for the applicant.
Mr. A. Madiwale, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JULY 30, 2025.

Apprehending the arrest at the hands of Police in connection with Crime No.69/2025 registered with Police Station Kondhali, District Nagpur, for the offenses punishable under Sections 123, 318(4), 338, 340(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Sections 65(a), 65(b), 65(c), 65(d), 65(e), 65(f), 67-1A, 67-C, 72, 83, 86, 90 of the Maharashtra Prohibition Act, the applicant approached to this Court for grant of per-arrest bail.

2. The crime is registered on the basis of report lodged by ASI Kishor Anandrao Sherki alleging that he received a secret information that some persons are manufacturing the illicit liquor at Margasur Shivar and, therefore, he conducted a raid and during raid, stock of 1000 litre of concentrate which is used for manufacturing liquor was seized. During the enquiry with other co-accused, the name of the present applicant revealed,

who was illegally selling the raw material to the other co-accused for the purpose of manufacturing the illicit liquor.

3. Learned Counsel for the applicant submitted that as far as the present applicant is concerned except the statement of the co-accused there is no other material to connect him with the alleged offence. He was not found at the spot of incident. In view of that, his custodial interrogation is not required and he be protected by granting ad-interim anticipatory bail.

4. Learned APP strongly opposed the said application and submitted that huge stock was found during the raid, and therefore, his custodial interrogation is required.

5. On hearing both the sides and on perusal of the investigation papers, admittedly, the applicant was not found at the spot of incident. His involvement appears to be there, on the basis of the statement of the co-accused. At this stage, immediate custodial interrogation of the applicant is not required. In view of that, prayer for grant of ad-interim protection deserves to be allowed. Accordingly, I proceed to pass the following order:

(i) Issue notice to the non-applicant, returnable after two weeks.

(ii) Learned APP waives notice for the State and seeks time to file reply.

(iii) In the event of the arrest, the applicant - Rajendra Gangaram Yadav in connection with Crime No.69/2025 registered with Police Station Kondhali, District Nagpur, for the offenses punishable under Sections 123, 318(4), 338, 340(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Sections 65(a), 65(b), 65(c), 65(d), 65(e), 65(f), 67-1A, 67-C, 72, 83, 86, 90 of the Maharashtra Prohibition Act, be released on ad-interim anticipatory bail, on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iv) The applicant shall attend the concerned police station once in a week i.e. on every Monday between 10.00 a.m. and 01.00 p.m. and shall cooperate with the investigating agency.

(v) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

(vi) The applicant shall not indulge himself in similar type of the activities. A single incident if reported, would lead to cancellation of bail.

6. The contravention of any of the condition would lead to the cancellation of bail.

(URMILA JOSHI-PHALKE, J.)

**Divya*