

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, NASHIK,
AT – NASHIK.

(Presided over by Mr. M. H. Shaikh)

Criminal Bail Application No.151 of 2022

CNR NO.MHNS010003622022



Rajesh Narayan Ingale

Age : 32, Occu. : Labour

R/o : Bhagur, Tal. & Dist. Nashik. ... Applicant.

V/S

State of Maharashtra

Through : State Excise Dept.

Deolali Camp Police Station

(C.R. No.I-08/2022) ... Respondent/State.

Appearance : Ld. Advocate Shri. Zameer Z. Inamdar for Applicant.

Ld. A.P.P. Sachin Gorwadkar for Respondent.

ORDER BELOW EXH. NO.1

(Delivered on 04th February, 2022)

1. Read the application and say filed by the respondent vide Exh.4.
Heard Ld. Advocate for the applicant. Ld. A.P.P. for the State. So also the respondent in person.
2. Crime stood registered bearing C.R. No.08 of 2022 with the respondent Deolali Camp Police Station for an offence punishable under Sections 65-A, B, C, D, E, F, 81, 83, 90 & 103 of the Maharashtra Prohibition Act and under Section 328 of the Indian Penal Code for an allegations that the applicant and co-accused prepared illicit country liquor and used to sell them.

3. Ld. Advocate for the applicant submits that the two co-accused persons came to be enlarged on bail by this Court by imposing conditions. The applicant is alleged to be the seller of the country liquor. Investigation is almost completed. Therefore, prayed to allow the application.

4. On the other hand, Ld. A.P.P. objected and argued in tune with the reply filed at Exh.4. It is argued that, two more accused persons are yet to be arrested, who had supplied the material to the main accused. The involvement of applicant is there in the Crime. Therefore, prayed to reject the application.

5. Upon hearing and going through the material placed on record for inspection, what can be gathered is that, main accused was enlarged by this Court and so also one more accused, who is shown to be the person who is selling the illicit liquor in his Dhaba. Now, this applicant is a person, who had absconded at the time of raiding the spot. The allegation is that this applicant used to sell the country liquor in the market. Therefore, the apprehension is that, there is a loss of revenue to the government, as well as there is danger to the health to the public at large. Therefore, this Court finds that as a main accused and one more accused are released on bail. The ground of parity is applicable to the said applicant. By imposing stringent conditions, the applicant can be enlarge on bail. Applicant can not be kept behind the bar for an indefinite period. Investigation is over. As far as, absconding accused is concerned, for that it is not necessary to keep this applicant behind the bar. In the result, the application succeeds. Hence, the order.

ORDER

1. Criminal Bail Application No.151/2022 is allowed.

2. Applicant Rajesh Narayan Ingale be released on bail on his executing a personal bond of Rs.25,000/- with one or more solvent sureties in like amount to the satisfaction of the concerned J.M.F.C. Court in connection with CR No.I-08/2022, registered through the State Excise Dept. with Deolali Camp Police Station.
3. Applicant Rajesh Narayan Ingale not to commit similar offences in future.
4. Applicant Rajesh Narayan Ingale to co-operate the Investigating Officer as and when he calls under prior written intimation.
5. Bail before the Ld. J.M.F.C.
6. In the above terms, the Criminal Bail Application No.151/2022 stands disposed off accordingly.

Place : Nashik.

Date : 04/02/2022

(M. H. Shaikh)

Additional Sessions Judge, Nashik.