

CNR No.MHPA170016442022

SCC No.449/2022

State Vrs.Nandkishor

ORDER PASSED BELOW EXH.1

1. In view of Hon'ble District Legal Services Authority, Parbhani E-mail bearing outward no.915/2023, dated 09/11/2023, today the present matter is taken before Special Drive to dispose of cases Under Section 256 and 258 of the Code of Criminal Procedure.

2. On perusal of record of the case it appears that, the present charge sheet has been filed by police station Bamni for offence punishable Under Sections 65(e) of the Bombay Prohibition Act on 07/09/2022 in crime no.90/2022.

3. On perusal of the record of the case it also appears that, the accused is absent since long. The prosecution failed to secure presence of the accused till today. There is no C.A.report on record. From the record it appears that, there is no immediate hope to secure the presence of the accused in near future. Therefore, considering the legal provision of Section 258 of the Code of Criminal Procedure, the case is liable to be stopped under Section 258 of the Code of Criminal Procedure. Hence, I proceed to pass the following order.

ORDER

1. The case is stopped under Section 258 of the Code of Criminal Procedure without pronouncing the Judgment.
2. The accused is discharged from the case.
3. After appeal period the seized muddemal i.e. 48 bottles of country liquor Bhingri Santra of 180 m.l. and 35 bottles of country liquor Bhingri Santra of 180 m.l. be send to State Excise Department, Parbhani for disposal as per law and other articles being worthless be destroyed as per law.

Date:-04/12/2023

Sd/-
(M.R.Panad)
Judicial Magistrate F.C;
Court No.1,Jintur