



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

CRIMINAL APPLICATION (BA) NO.337 OF 2025

Pankaj @ Pankajkumar s/o Bechan Singh
Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Kondhali, District Nagpur

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

Court's or Judge's orders

Mr. C. R. Thakur, Counsel for the applicant.
Mr. C. A. Lokhande, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 03/04/2025

1. The applicant is arrested on 18.02.2025 in connection with Crime No.69/2025 registered with Police Station Kondhali, District Nagpur for the offence punishable under Sections 123, 318(4), 338, 340(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 65(a), 65(b), 65(c), 65(d), 65(e), 65(f), 67(1)(A), 67C, 72, 83, 86, 90 of the Maharashtra Prohibition Act.

2. The accusation against the present applicant is that the Investigating Officer has conducted the raid in the agricultural field of applicant and seized the raw material which is used for manufacturing the country liquor and he has also erected a manufacturing unit in the said field. On the

basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that the investigation is already completed, charge-sheet is yet to be filed. As far as the further incarceration of the present applicant is concerned, which is not required. The incriminating material is already seized. In view of that he be released on bail.

4. Learned APP strongly opposed for the same and submitted that the material was found in the agricultural field of the present applicant along with the unit which is for the manufacturing of the illicit liquor. Considering the same, the application deserves to be rejected on the ground that if he is released on bail, he would indulge himself in similar types of the activities and three more accused are still absconding.

5. After hearing both sides and on perusal of the investigation papers it reveals that the investigation is practically completed. As far as the further incarceration of the present applicant is concerned, which is not required. The incriminating material is already seized. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) The applicant **Pankaj @ Pankajkumar s/o Bechan Singh** shall be released on bail in connection with Crime No.69/2025 registered with Police Station Kondhali, District Nagpur for the offence punishable under Sections 123, 318(4), 338, 340(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 65(a), 65(b), 65(c), 65(d), 65(e), 65(f), 67(1)(A), 67C, 72, 83, 86, 90 of the Maharashtra Prohibition Act, on executing PR Bond of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant shall attend the concerned Police Station twice in a month on 1st and 15th of every month, till the culmination of the trial.
- (iv) The applicant shall not indulge himself in similar type of the activities.
- (v) The applicant shall not leave the jurisdiction of the Nagpur without prior permission of the Court.
- (vi) The applicant shall attend the proceeding before the trial Court without seeking any exemption unless there are exceptional circumstances.
- (vii) The contravention of any of the conditions imposed would lead to the cancellation of bail.

(URMILA JOSHI-PHALKE, J.)