



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

CRIMINAL APPLICATION (BA) NO.915 OF 2025

(Pawan s/o Vijay Jaiswal 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. S.N. Singh, Advocate for the applicant.
Mr. A.J. Gohokar, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- AUGUST 25, 2025.

By this application, the applicant is are seeking bail as they came to be arrested on 11/07/2025 in connection with Crime No.195/2025 registered with Excise Police Station, Police Inspector, Excise Department, Chandrapur for the offences punishable under Sections 65(b)(e)(d)(f), 80, 81, 83, 90, 103 of the Maharashtra Prohibition Act, 1949 read with Section 123 of the Bharatiya Nyaya Sanhita, 2023.

2. Applicant No.1 is the husband and applicant No.2 is the father-in-law of the deceased. The crime is registered on the basis of the report that the investigating agency received an information that the present applicant is involved in manufacturing the liquor and he is in possession of the liquor, and therefore, raid was conducted. During raid, the huge stock worth of Rs.1,36,260/- was seized and the applicant was arrested. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that now the entire stock is already recovered. The applicant is behind bar from the date of his arrest, his further incarceration is not required. In view of that, he be released on bail.

4. Learned APP strongly opposed the application and submitted that considering the investigation which shows that the continuous involvement of the present applicant in manufacturing the illicit liquor as well as by having possession over the same and sale of the counterfeit country liquor, and therefore, the application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers admittedly, there are criminal antecedents against the present applicant but that itself is not sufficient to reject the application. Now, the investigation is already completed. As far as the stock is concerned which is already recovered. Hence, further incarceration of the applicant is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The applicant – Pawan s/o Vijay Jaiswal in connection with Crime No.195/2025

registered with Excise Police Station, Police Inspector, Excise Department, Chandrapur for the offences punishable under Sections 65(b)(e) (d)(f), 80, 81, 83, 90, 103 of the Maharashtra Prohibition Act, 1949 read with Section 123 of the Bharatiya Nyaya Sanhita, 2023, be released on bail, on executing P.R. Bond in the sum of Rs.50,000/- with one solvent surety in the like amount.

(iii) The applicant shall not indulge himself in similar type of the activities. A single registration of the offence would lead to the cancellation of bail.

(iv) 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.

6. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)