

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 560 OF 2026

Rahul B. Bhagwat ...Applicant
V/s.
The State of Maharashtra ...Respondent.

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Mr.Prashant Hagare i/b. Ms Ekta Kailas Patil for the Applicant.
Ms Shilpa G. Talhar, APP for the Respondent/State.
Sub-Inspector Navanath D. Ghodake, State Excise, Mharashtra
State Flying Squad, Mumbai is present.

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CORAM : N.R. BORKAR, J.
DATE : 07.03.2026.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 63 of 2026 registered by the Department of State Excise, Mumbai for the offences punishable under Sections 123, 318(4), 336(2), 336(3) and 340(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 65(a)(b)(c)(d)(e)(f), 81, 83 and 103 of the Maharashtra Prohibition Act.
3. It is the case of the prosecution that on 26th January 2026, on the basis of secrete information, a Eicher Tempo bearing No. MH-03-CP-9090 was intercepted. During inspection, large quantities of illicit liquor empty bottles, counterfeit labels were seized. The allegations against the present applicant are that he leased out the land owned by him to the co-accused in the present

crime for manufacturing the said illicit liquor. Accordingly, the present crime came to be registered.

4. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.

5. Learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that the land was leased for the purpose of installing a water filter plant. It is submitted that the applicant was not aware about the alleged illegal activities of the co-accused. It is submitted that there is no need of custodial interrogation and the applicant is ready and willing to cooperate with the investigation.

6. On the other hand, learned APP for the respondent/State submits that during the course of investigation, the co-accused disclosed the involvement of the present applicant in the crime in question. It is further submitted that there are financial transactions between the present applicant and the other co-accused. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

7. I have perused the papers of investigation. The only material against the present applicant is the statement of co-accused. There are no other criminal antecedents against the applicant. Considering the overall facts and circumstances, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed.

ORDER

- A) The Application is allowed.
- B) In the event of arrest of the applicant in C.R. No.63 of 2026 registered by the Department of State Excise, Mumbai for the offences punishable under Sections 123, 318(4), 336(2), 336(3) and 340(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 65(a)(b)(c)(d)(e)(f), 81, 83 and 103 of the Maharashtra Prohibition Act, he be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one surety or two sureties in the like amount.
- C) The applicant shall attend the concerned office of State Excise Mumbai as and when called and shall cooperate in the investigation.

[N.R.BORKAR, J.]