

MHBU-1100-0214-2026



Cri. Bail Application.57/2026
Mangaldas Lakshman Pawar
- Vs - State of Maharashtra
Through PSO MIDC Malkapur
in Crime No.24/2026.

ORDER BELOW EXH.01

Table as per the Judgment of Hon'ble Supreme Court of India in Criminal Appeal No.825 of 2026 [Arising out of SLP (Crl.) NO.12669 of 2025], Zeba Khan Vs. State of U.P. and others, 2026 INSC 144

A. CASE DETAILS :	
1. FIR Number	: 24/2026.
2. Date of FIR	: 26/02/2026.
3. Police Station, District and State	: PSO MIDC Malkapur. Dist. Buldana, Maharashtra.
4. Sections invoked	: 223, 274, 275, 123 of Bhartiya Nyaya Sanhita, 2023 & 26(2)(i), 26(2)(iv), 27(3)(d), 27(3)(e), 3(1)(zz)(iv), 59(i) Food Safety and Standards Act, 2006
5. Maximum Punishment prescribed	: 10 years.

B. CUSTODY & PROCEDURAL COMPLIANCE :	
1. Date of Arrest	: 26.02.2026.
2. Total period of custody undergone	: 00-Y 00-M 13-D.

C. STATUS OF TRIAL :	
1. Stage of proceedings	: Investigation.
2. Total Number of witnesses cited in the	: Nil.

	chargesheet		
3.	Number of prosecution witnesses examined	:	Nil.

D.	CRIMINAL ANTECEDENTS :		
1.	FIR No.	:	Nil.
2.	Police Station	:	Nil.
3.	Sections	:	Nil.
4.	Status	:	Nil.

E.	PREVIOUS BAIL APPLICATIONS :		
1.	Court	:	Nil.
2.	Case No.	:	Nil.
3.	Outcome of case	:	Nil.

F.	COERCIVE PROCESSES :		
1.	Whether any Non-Bailable Warrant was issued	:	No.
2.	Whether declared a proclaimed offender.	:	No.

The accused Mangaldas Lakshman Pawar who is arrested in Crime No.24/2026 for the offences under section 223, 274, 275, 123 of Bhartiya Nyaya Sanhita, 2023 & section 26(2)(i), 26(2)(iv), 27(3)(d), 27(3)(e), 3(1)(zz)(iv), 59(i) Food Safety and Standards Act, 2006 Act has filed this application for grant of bail under section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023.

02. The accused in support of the application has submitted that he has been arrested in the said crime on 26/02/2026 even though he was detained in the Police Station since 25/02/2026 at about 7.45 p.m. onwards. He has been falsely implicated in the crime showing seizure of prohibited food articles like Pan Masala, Scented Tobacco and Gutkha valued at Rs.2,87,568/-. Since the muddemal is already seized by the Police at the time of arrest of the accused, the further custody of the accused is unwarranted. The investigation of the case is already completed. There are no criminal antecedents of the accused. The accused is ready to abide by the conditions imposed by the Court for grant of bail.

03. The learned A.P.P. and the Investigation Officer vide their say at Exh.06 opposed the application by contending that the offence is serious in nature. The accused is likely to repeat the offence. The accused is found carrying prohibited food articles like Gutkha and Pan Masala which are having adverse societal impact. Considering the nature of the offence, the accused does not deserve to be enlarged on bail.

04. Considering the application of the accused and the say filed on it, following points arise for my determination to which I record my findings thereon for reasons to follow.

Sr. No.	Points For Determination	Findings
1.	Whether the accused deserves to be released on bail.	Yes.

2.	What order.	As per final order.
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REASONS

05. Heard learned counsel for accused and the learned APP for state.

06. Perused case diary.

07. It is alleged by the prosecution that the accused was arrested by the Police while he was found carrying and possessing prohibited food articles like Pan Masala, Scented Tobacco and Gutkha having valuation of about 2,87,000/-. His vehicle is also seized in the said crime.

08. Besides the provisions of Bhartiya Nyaya Sanhita 2023 under section 275 and 274 for adulteration and sell of food and offence under section 223 for disobedience of prohibitory notification, the offence under section 123 of said Sanhita 2023 is also leveled against accused. The offences under section 275, 274, 223 of Bhartiya Nyaya Sanhita are bailable offences. The offence under section 123 of Bhartiya Nyaya Sanhita is having punishment up to 10 years. At the same time the prosecution has alleged the commission of offences under the provisions of Food Safety And Standards Act, 2006 i.e. offences under section 26, 27 punishable with section 59(i) of Food Safety And Standards Act, 2006. It prescribes punishment up to 06 months. Since the punishment

prescribed is below two years, it is aailable offence. Accordingly, considering the facts and circumstances of the case, the accused deserves to be enlarged on bail. Consequently, I proceed to pass the following order. -

ORDER

1. The accused Mangaldas Lakshman Pawar be released on PR and SB of Rs.50,000/- in Crime No.24/2026 for the offences under section 223, 274, 275, 123 of Bhartiya Nyaya Sanhita, 2023 & 26(2)(i), 26(2)(iv), 27(3)(d), 27(3)(e), 3(1)(zz)(iv), 59(i) Food Safety and Standards Act, 2006, as per section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023.
2. The accused shall not tamper with the prosecution evidence or witnesses in any manner.
3. The accused shall co-operate in the investigation of the case.
4. Bail petition is disposed of accordingly.
5. The case diary be returned to the Investigation Officer forthwith.

Malkapur.
Dt. 11/03/2026.

(R. B. Giri)
Additional Sessions Judge,
Malkapur.

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CERTIFICATE

I certify that this order P.D.F. uploaded is a true and correct copy of original signed order.

Name of Court : Adhoc District Judge – 1 & Additional
Sessions Judge, Malkapur.
Name of Stenographer : Shri. V. S. Jadhav. (Junior Clerk)
Date of order : 11.03.2026
Date of signed on order
by Judicial Officer : 11.03.2026
Date of uploading : 11.03.2026