

In the Court of Additional Sessions Judge, Dhule.

(Presided over by R. N. Hiwase)

Criminal Bail Application No.140/2026.

(CNR No.MHDH010006252026)

(Manojkumar Halpati and Ors. V/s. The State of Maharashtra)

ORDER BELOW EXH.1

The applicants/accused by names Manojkumar Madubhai Halpati, Rahulbhai Lalubhai Halpati and Rajesh Radka Halpati have been apprehending their arrest in connection with C.R.No.03/2026 registered by the Shirpur Excise Department, Sakri Police Station, for the offences punishable under Section – 65(A), 65(E), 80, 81, 83, 90 and 108 of the Maharashtra Prohibition Act. Hence, they have moved this application U/Sec.482 of the B.N.S.S. for anticipatory bail.

2. It is the story of the State that the informant is the Assistant Excise Inspector in State Excise Department, in the Shirpur division, Bit No.1, Dist.Dhule. He received the information and, therefore, he arranged the trap in Shelbari Ghat, Tq.Sakri, Dist.Dhule. He found that three four wheeler vehicles were coming. He gave indication to those vehicles to stop, but those vehicles tried to flee away by increasing the speed of their vehicles. Therefore, the informant alongwith the staff chased those vehicles and tried to stop them. But, the vehicle drivers took U-turn and tried to flee away. Thereafter, they chased those vehicles. Out of those, the drivers of two

vehicles stopped their vehicles beside the road and ran towards the hills and fled away. The driver of third vehicle lost his control over the vehicle and the said vehicle was entered in the mountain gorge. The driver of said vehicle has also fled away by taking the advantage of darkness. Those three vehicles were searched. It was found that there was the liquor of various brand brought from Union Territory, Daman. This liquor is prohibited in the State of Maharashtra. The accused smuggled the same in the State of Maharashtra. They seized the liquor worth Rs.14,73,864/-. So also, those three vehicles were seized. During the investigation, it transpired that the applicants/accused have committed this offence.

3. Heard learned advocate for the applicants and learned A.P.P.

4. The learned advocate for applicants/accused has argued that the applicants/accused are falsely implicated in this case. No offence is committed by the applicants/accused. They are ready to abide the terms and conditions of bail. Hence, the advantage of anticipatory bail be given to the applicants/accused.

5. On the other hand, the learned A. P. P. has strongly opposed this application and vehemently argued that this offence is grave and serious. The applicants/accused fled away from the spot and now they are claiming the anticipatory bail. They tried to destroy the evidence in this case. They smuggled

the liquor from the other State i.e. from Diu-Daman. The liquor in this offence is duplicate liquor. Therefore, the life of people at large was at stake. They also tried to grab the revenue of the Government. It is to be investigated from whom they brought the said liquor. It is also to be investigated that to whom they were going to deliver the said liquor. This case is of inter-State smuggling of liquor. The custody of accused is necessary for the custodial interrogation. Without custodial interrogation, this offence cannot be investigated. There are several offences against the applicant/accused No.2. So also, the applicant/accused No.1 was convicted in the other offence. Therefore, this application is to be rejected.

6. After considering the submissions made by both the sides, it appears to me that this offence is grave and serious. It is a case of Inter-State smuggling of the illicit liquor. Huge quantity of liquor is seized in this offence. There are previous offences registered against the applicants/accused of the same kind. It is to be investigated that from whom the applicants/accused brought the liquor and to whom they were supplying the same. Therefore, the custodial interrogation is necessary. Hence, taking into consideration the nature, gravity and seriousness of this offence, I am not inclined to grant the anticipatory bail to the applicants/accused. Hence, I proceed to pass the following order.

ORDER

The application stands rejected.

(Dictated and pronounced in open Court.)

(R.N.Hiwase)

Additional Sessions Judge

(Court No.5), Dhule.

Date : 13.03.2026.

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CERTIFICATE

I certify that the contents of this P.D.F. File are word to word as per Original Judgment/Order.

Name of the Stenographer : J.S.Jain.

Name of the Court : Court of District Judge-5, Dhule

Judgment directly typed on : 13.03.2026.

dias computer.

Order checked and signed by : 13.03.2026.

Presiding Officer

P.D.F. Uploading Date : 13.03.2026.

Sd/- xxx

Stenographer(Grade-I)