

ORDER PASSED BELOW Ex.1 IN CRIMINAL BAIL APPLICATION**No. 172/2026****Mahendra Anaram Fardauda****V/s.****The State****CNR No.: MHDH01-000747-2026**

By this application applicant/accused seeks his enlargement on bail under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 in connection with Crime No. 42/2026 registered with Shirpur Taluka police station for the offences punishable U/s. Sections 26(2)(iv), 27 (3) (d), 27 (3) (e), 3(1) (zz)(iv), 59 (i) of Food Safety and Standards Act, 2006 and Sections 123, 223, 274, 275 of Bhartiya Nyaya Sanhita, 2023.

02. I have gone through the grounds mentioned in the application and the reply of investigation officer filed through prosecution vide Exh. 6.

03. Prosecution case is that P. C. Mukesh Bahaddursing Pawara, attached to Shirpur Taluka Police Station lodged report in Shirpur Taluka police station. According to him, on 17/02/2026 from 23.00 hours to 18/02/2026 at 5.00 hours he along with other police personnel were on Nakabandi duty at Hadakhed Police Check Post. On 18/02/2026 at about 4.00 am PSI Kishor Chavan was informed on phone by P. I. Jaypal Hire that secret information has received that on Mumbai Agra National Highway No. 52 from Nagore to Pune a contraband was

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being transported in a Luxury Bus bearing Registration No. MP-44-ZF-3758 of Butatidham Transport Company. He directed to check the said bus and to take action accordingly.

04. Accordingly, on 18/02/2026 at about 5.00 am they found the said Luxury Bus coming from Indore towards Dhule. They signaled the bus driver to stop the said bus. On asking the name to the bus driver he disclosed his name as Mahendra Anaram Choudhary and stated that the said bus is proceeding from Indore to Pune. The said bus was taken to Police Station and police disclosed about taking search of the said bus to the driver. While taking search of the said bus, in the dickey of the bus, bags of passengers were there and beside it white gunny bags were also found. So it was asked as to whom the said gunny bags was belonging. On asking the driver replied that it was booked as luggage from Vijay Balap Chouk Nagor and intimated to unload near parking of travel company. It was containing contraband articles such as Panmasala and scented tobacco worth Rs. 23,19,510/- including the luxury bus. The said muddemal was seized and report was lodged against the driver.

05. Heard learned advocate for applicant Mr. B. B. Waghmare, and learned APP Mr. N. B. Kalal for the State. I have gone through the copy of FIR and other documents filed on record. No doubt, the seized contraband is prohibited in the State of



Maharashtra. None of the alleged offences are punishable with imprisonment for life or death. It is not the allegation against the applicant that he administered the prohibited contraband to any person. The said contraband and the transporting vehicle are already seized. There was sufficient time for the investigation officer to make inquiry with the present applicant. No recovery or discovery is pending at the instance of applicant. As mentioned in the application, the witnesses in the present case are public servants, and therefore, there is no possibility of tampering. Further custody of the applicant is thus unwarranted. As regards the grievance of prosecution in respect of absconding of applicant and tampering the prosecution witnesses, suitable conditions can be imposed on him, to address the same. Considering the factual aspects, there is no justifiable ground to keep the applicant behind bar. Hence, the order.

ORDER

- (1) Application is allowed.

- (2) Applicant/accused **Mahendra Anaram Fardauda**, be released on bail on furnishing Personal Bond of **Rs.25,000/- (Rs. Twenty Five Thousand Only)** along with one surety in the like amount, in connection with C.R. No. 42/2026 registered with Shirpur Taluka Police Station, for the offences punishable under Sections 26(2)(iv), 27 (3) (d), 27 (3) (e), 3(1) (zz)(iv), 59 (i) of Food Safety and Standards Act, 2006 and Sections 123, 223, 274, 275 of Bhartiya Nyaya Sanhita, 2023, on the following conditions:

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(i) He shall attend the concerned police station as and when directed by the investigation officer with prior intimation in writing.

(ii) He shall not tamper with prosecution evidence.

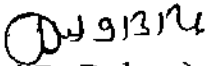
(iii) He shall submit his proof of residence / Aadhar Card along with the details of mobile numbers of his two close relatives in the Court and in concerned police station.

(iv) Violation of any conditions above, will be a ground for cancellation of bail.

(v) Bail order be informed to applicant through Jail authority by E-mail.

Bail before the learned Magistrate.

Dhule
Date : 09/03/2026


(Jayshri R. Pulate)
Additional Sessions Judge, Dhule.