

ORDER PASSED BELOW EXH. 1 IN
CRIMINAL BAIL APPLICATION No.545/2026
(CNR No. MHDH010021262026)

(Sham Bhivaji Jadhav -v/s- The State of Maharashtra)

(Passed on 23.06.2026)

(1) This is an application filed by accused Sham Jadhav for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita 2023, (for short 'BNSS') in Crime No. 204/2026 registered at Mohadi Nagar Police Station for the offence punishable under Sections 123, 318(4), 338, 336(3), 339, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 65(a) of the Maharashtra Prohibition Act.

(2) Facts in brief are as under ;

Informant Police Constable Bhagwan Dhakane is serving at Mohadi Nagar police station. He is in Crime Detection Branch of police station. In the night of 23.05.2026 and 25.05.2026, informant, P.H.C. Kiran Kothawade, driver P.H.C. Mangal Pawar were doing patrolling. On 25.05.2026 around 2:30 a.m. informant received information that on Mumbai-Agra highway, at Laling Ghat, near B.S.N.L. tower, there is accident of two vehicles coming from Malegaon to Dhule. Accordingly, informant and other police staff went at the spot. They saw Dumper No. MH-41-AU-2495. It is revealed that the Dumper driver was going from Dhule to Malegaon and he went in wrong lane and gave dash to sixteen wheels truck No. MH-12-XM-1270 which was coming from Malegaon to Dhule. The driver and cleaner of the truck ran away from the spot. The injured Dumper driver was shifted to hospital. Police saw foreign liquor bottles boxes in the truck. Therefore, the said truck was brought at police station.

(3) Further story of the prosecution is that on 28.05.2026 information was given to Superintendent, State Excise Department, Dhule.

Accordingly, panchanama was prepared in presence of the officers of State Excise Department. In the truck, police found huge quantity of various brands fake / counterfeit foreign liquor bottles. The market value of the said liquor is Rs.1,42,46,490/-. It was also revealed that the said liquor was carrying from Goa State to Sendhwa (Madhya Pradesh). Crime is registered and the investigation is in progress.

(4) During the investigation it is revealed that the accused No.1 is the driver and owner of the truck and accused No.2 is the cleaner of the truck. They were arrested on 11.06.2026.

(5) Mr. N. S. Sonawane, Advocate for accused, submitted that accused has no concern with the alleged crime. The truck along with alleged liquor bottles, is taken into custody in the night of 25.05.2026. The panchanama is prepared on 28.05.2026. Thus, there is a possibility of tampering of Muddemal. He further submitted that nobody has made complaint against the accused. The false crime is registered against him. The ingredients of Sections alleged do not attract. Accused is arrested on 11.06.2026. Major part of the investigation is completed. Accused is ready to abide by the conditions imposed by the Court. He prayed to release the accused on bail.

(6) Mr. D. Y. Tavar, learned P.P. for the State, has produced police-papers. He submitted that accused were carrying fake / counterfeit liquor from Goa State to Sendhwa (Madhya Pradesh). Accused prepared forged bilty that they are carrying cement remix. After the incident, accused ran away from the spot. The said liquor is fake and injurious to health. He further submitted that the market price of the liquor is around Rs.1,42,00,000/-. The offence is serious. The police have to search the trail of offence. The investigation is at preliminary stage. If the accused is released on bail, he will abscond and will not co-operate in the investigation. He prayed to reject the application.

(7) This is classic case wherein serious crime came into light by the mistake of Dumper driver. I have perused the application, say of the prosecution and investigation papers. In the night of 25.05.2026, the Dumper went in wrong lane and gave dash to the truck. It was revealed that the truck was carrying various brands of foreign liquor boxes. It is true that the panchanama is prepared on 28.05.2026, however, the same was prepared in presence of the officers of State Excise Department. The papers show that after the incident, accused ran away from the spot. They are arrested on 11.06.2026. However, no explanation has come from them about carrying the liquor. On the contrary, accused were pretending that they were carrying cement remix and prepared the bogus documents to that effect. Thus, it prima facie appears that accused were carrying fake/counterfeit liquor of huge quantity amounting to Rs.1,42,00,000/-.

(8) Thus, the offence is serious. Investigation is in progress. Considering the nature of crime, I find that detailed investigation is required. Hence, at this stage, accused is not entitled for bail. Accordingly, following order :

ORDER

Criminal Bail Application No. 545/2026 is hereby rejected.

Date : 23.06.2026.

(G. B. Gurao)
Additional Sessions Judge, Dhule.

Certificate

I certify that the contents of this PDF file is word to word as per original Order.

Name of the Steno : I. S. Ansari
Name of the Court : District Court-1 & Additional Sessions
Court, Dhule.
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