

MHJN010003052026



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-2, JALNA
CRIMINAL BAIL APPLICATION NO. 79 OF 2026**

Ganesh Devrao Maind

.... Applicant/accused

V/s.

The State of Maharashtra

.... Respondent/Prosecution

Appearance :

Shri.A.M.Subhani, the learned advocate for the applicant

Shri.A.D.Mate, the learned A.P.P. for the State

ORDER BELOW EXH.1

(Delivered on : 17.03.2026)

. The applicant/accused has preferred application under the provision of Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the “BNSS” for the sake of brevity), apprehending arrest in Crime No.199/2024 registered with Badnapur police station under Sections 188, 186, 149, 147, 143, 506, 504, 279, 379, 294, 341, 327, 353 of the Indian Penal Code (hereinafter referred to as the “IPC” for the sake of brevity) and under Section 135 of Maharashtra Police Act.

02. As per the applicant/accused, informant P.S.I. Babasaheb Shivaji Kharde, Police Station Badnapur lodged complaint on 9.05.2024 contending that, on 18.05.2024 at 1.00 p.m. PI. Bhagwat called the informant and disclosed about the secret information regarding illegal

excavation of sand at Saygaon Dongargao Shiwar from the Dudhna riverbed with the help of J.C.B. and poclain machine and the sand being carried away. Tahsildar Badnapur was informed. Two panchas were called. Tahsildar, Talathi and Circle Officer accompanied police staff and raided at the place at 14.10 hours. One red coloured J.C.B. and poclain machine were found, two Hyva truck loaded with sand were seen. The persons gave evasive answers regarding the sand permission or royalty to the concerned officers. At that time, co-accused Sachin Chalse, Jamil Tundiwale manhandled the informant and was arguing with the raiding staff and when the police tried to use force both the said persons fled away. Police seized the vehicles from the spot.

3. Except driver of the Hyva truck, other had fled away. When the said seized truck was being taken to the police station, at bridge one yellow coloured Hyva came in front of the police vehicle and stopped them. The driver and the person accompanying co-accused Sachin Chalse, Jamil Tundiwale, Prashant alias Sonu Warkad, Bandu Jadhav, Balu Golde, Anand and one person started manhandling the informant and pulled him out of the vehicle and hurled abuses to him and snatched away one Samsung mobile phone and cash amount of Rs.5,160/- from his shirt pocket. Said Sachin Chalse said that truck will not be allowed to take to police station and pushed the informant. Co-accused Prashant alias Sonu Warkad and Anand took Hyva truck and fled away. Police started the search for co-accused Prashant alias Sonu Warkad and he was found arguing with police constable Tadvī at the sand depot. Police have arrested co-accused Prashant alias Sonu Manohar Warkad, Navnath Namdeo Tanpure, Vikas Gorakh Dolse. Hence, complaint was filed.

04. As per the applicant/accused, he has no concerned with the offence. He has not named in the FIR. The Investigating Officer has falsely implicated him in the charge-sheet filed as R.C.C.No.33 of 2026. The applicant/accused is having no criminal antecedents. He is sole earner of the family. He is ready to abide with the terms and conditions of bail, if imposed on him.

05. The prosecution resisted the application by filing say at Exh.08. It is contended that the offence is serious in nature. It is further contended that the informant formed Hyva loading the said unauthorizedly and this applicant/accused along with co-accused assaulted and snatched one mobile phone and cash of Rs.5160/- they used criminal force to deter public servant while discharging their duties and ran away with the vehicle. The prosecution apprehends that, in case, the applicant/accused is released on bail, he will threaten the witnesses. Hence, the application is sought to be rejected.

06. Heard learned Counsel Shri.A.M.Subhani for the applicant/accused and the learned A.P.P. Shri.A.D.Mate for the State. Perused the copy FIR and papers submitted by the prosecution.

07. The learned Counsel for the applicant/accused submitted that the main accused is already released on anticipatory bail by Hon'ble High Court.

08. From the reply of the prosecution and police papers it is seen that the investigation is already completed and charge-sheet is filed which is registered as R.C.C.No.33 of 2026. There is no specific overt act attributed to this applicant/accused. Nothing is shown to be recovered or discovered at the hands of this applicant/accused, for which, his custodial interrogation would be required. The apprehension

of the prosecution can be taken care of by imposing stringent conditions on the applicant/accused while granting him bail. Hence, I pass the following order: -

ORDER

- 1) Criminal Bail Application No.79/2026 is allowed.
- 2) In the event of arrest of the applicant/accused **Ganesh Devrao Maind**, in Crime No.199/2024, registered with Badnapur Police Station, he be released on P.B. and S.B. of Rs.15,000/- (Rupees Fifteen Thousand only) with one or two sureties in the like amount, on the following conditions:-
 - a) The applicant/accused shall appear before at Police Station Badnapur, on alternate Wednesday of every month between 01.00 p.m. to 04.00 p.m. till filing of charge-sheet.
 - b) The applicant/accused shall not contact the informant or witnesses in any manner.
 - c) The applicant/accused shall not tamper with the evidence.
 - d) The applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case so as to dissuade them from disclosing such facts to the Court or the police officer.
 - e) Breach of any condition will amount to cancellation of anticipatory bail forthwith.
- 3) Criminal Bail Application No.79 of 2026 stands allowed and disposed of accordingly.

(Dictated and pronounced in open Court).

Date: 17.03.2026

(NAZERA S. SHAIKH)
Additional Sessions Judge-2
Jalna.

CERTIFICATE

I affirm that the contents of this PDF file are word to word as per original.

Name of Stenographer

: P.S.Tayade

Name of the Court

: Court of Addl. Session Judge-2, Jalna

Date of PDF

: 17.03.2026

Stenographer