

MHJN010013402026



IN THE COURT OF ADDITIONAL SESSIONS JUDGE-2, JALNA

CRIMINAL BAIL APPLICATION NO.504 OF 2026

Akash Pramodsing Bayas

.... Applicant/accused

V/s.

The State of Maharashtra

.... Respondent/Prosecution

Appearance :

Shri.Sayyed Tariq, the learned advocate for the applicant

Shri.B.V. Ingle, the learned In-charge D.G.P for the State

ORDER BELOW EXH.1

(Delivered on : 14.07.2026)

. 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.311/2026 registered with Chandanzira police station under Sections 318(4), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as the “BNS” for the sake of brevity), under Section 4, 5, 7, 8, 9, 35 of the Fertilizer (Control) Order 1985 and under Section 3 and 7 of Essential Commodities Act.

02. As per the applicant/accused, informant Fertilizer Inspector and Agriculture Officer, Quality Control, Taluka Agriculture Office, Bhokardan Shri.Dhananjay Laxman Sonune lodged complaint on 13.05.2026 contending that on the same day, Divisional Flying Squad

and District Flying Squad received secret information that, in the new Mondha area, gunny bags of fertilizers is being sold unauthorizedly in the market. Upon receiving said information, Divisional Flying Squad got verified the secret information and by issuing letter to the Local Crime Branch, they got some police personnel with them. In the said information, it was informed them that a Mahindra Pick-up vehicle bearing No.MH-21-BH-9443 is proceeding towards Rajur and the same is containing gunny bags of fertilizers.

03. According they followed the said vehicle and stopped it near statue of Chhatrapati Sambhaji Nagar at Rajur. Thereafter, the vehicle was brought to the Rajur Police chowki and the persons sitting in the vehicle were asked their names and they told their names. Upon search, they found 81 gunny bags containing fertilizers and after inquiry, they told that they have purchased said fertilizers from Durga Cement and Hardware situated at new Mondha and an amount of Rs.46,980/- was paid to Durga Cement and Hardware Traders via phonepe having transaction ID URT No.120332779068.

04. For checking the quality of fertilizers, 5 samples were taken and out of those gunny bags, fertilizers from two gunny bags were emptied. On one gunny bag Suvarnabhoomi Calpro Heart, Vankateshwara Special Fertilizer Private Limited was written and the same was written along with Calcium 06, Magnesium 02, Silfur 04, Batch No.LCDM2022 090302 MF DT.2 April 25, Expiry 1 April 29 and on another gunny bag, it was written Organic Manure Granules, Kisan Bharti Fertilizers Dhule, DRC.No.LCFWD0420220250. Accordingly, goods was handed over in the custody of Rajur Police chowki and hence, complaint was filed.

05. As per the applicant/accused, he is falsely implicated in the offence. This is his second bail application. He had withdrawn his previous bail application bearing Criminal Bail Application No.415 of 2026. He is owner of Jay Bharat Agro Trades. Sections 3 and 7 of EC Act are not applicable. The informant has misused his powers. He has purchased the goods/fertilizers as per law and was not possessing the goods/fertilizers to sale it in the black market. The applicant/accused has not cheated anyone. He has no criminal antecedents. The investigation is almost completed. The applicant/accused contends that he is ready to abide with terms and conditions of bail, if imposed on him.

06. The prosecution resisted the application by filing say at Exh.6. It is contended that the offence is serious in nature. The applicant/accused along with co-accused is prima-facie involved in this serious crime. The applicant/accused along with co-accused cheated and defrauded the informant. The applicant/accused is not having any valid licence for storage and sale the product/fertilizers. In crime No.144 of 2025 registered at police station Hasnabad also, the applicant/accused had supplied the stock of fertilizers for repacking. The investigation is in progress. As per the prosecution, in case applicant/accused is released on bail, he will abscond or threaten the witnesses. Hence, application is sought to be rejected.

07. Heard learned advocate Shri.Sayyed Tariq for the applicant/accused and the learned In-charge D.G.P Shri.B.V. Ingle for the State. Perused the copy of FIR and police papers submitted by the prosecution.

08. The learned Counsel for the applicant/accused submitted that fertilizers are already seized. The procedure under the Fertilizer (Control) Order is not followed.

09. From the reply of the prosecution and police papers it is seen that the investigation is almost completed. Admittedly, the vehicle, fertilizers and other relevant muddamal is already seized on the spot and its panchnama is already prepared by the concerned authority. Nothing is shown to be recovered or discovered at the hands of applicant/accused, for which, his custodial interrogation would be required. The applicant/accused has shown willingness co-operate. 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.504/2026 is allowed.
- 2) In the event of arrest of the applicant/accused **Akash Pramodsing Bayas**, in Crime No.311/2026, registered with Chandanzira Police Station, he be released on P.B. and S.B. of Rs.25,000/- (Rupees Twenty-five 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 Chandanzira, 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.504 of 2026 stands allowed and disposed of accordingly.

(Dictated and pronounced in open Court).

Date: 14.07.2026

(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 : 14.07.2026

Stenographer