

MHND010014732026



IN THE COURT OF SESSIONS, AT NANDED DIST. NANDED.

CRIMINAL BAIL APPLICATION NO. 557 OF 2026

IN

(CR No. 62/2026 of Barad Police Station)

Abhishek s/o Gunaji Mehetre

Age : 24 years Occu: Business

R/o. Barad Tq. Mudkhed, Dist.

Nanded

.....Applicant

V/s.

The State of Maharashtra

(At the instance of Barad Police
Station)

.....Respondent

Appearance :-

Ld. Advocate Mr. A.V. Mahajan for the applicant.

Ld. APP Mrs. M.A Battula for State.

CORAM : ADDL. SESSIONS JUDGE-1, NANDED

SHRI. T.T. AGLAWE,

:- ORDER :-

(Date : 25.06.2026)

The applicant has filed present application for releasing him on bail in connection with Crime No.62 of 2026, registered with Barad Police Station, for the offences under Sections 123, 223 of Bhartiya Nyaya Sanhita (in short 'BNS').

2. Perused application and reply of Investigating Officer below Exh. 06.

3. Heard Learned advocate for the applicant and learned Addl. PP for the State.

4. The case of prosecution is that on 02-06-2026 the Food and Safety Officer inspected Maharashtra Pan Shop, Barad, Tq. Mudkhed Dist. Nanded. The applicant was found possessing prohibited Gutkha, Pan Masala and flavored Tobacco worth Rs. 7,965/- for sale.

5. Ld. Advocate for the applicant submitted that applicant is arrested on same day. Seizure is complete. There is no statement of any victim. Nothing more is to be seized from the applicant. Material investigation is over. Section 123 of the BNS is not applicable in the facts and circumstances of the case. The applicant is ready to abide by all the terms and conditions.

6. On the other hand, the Ld. APP has argued that the applicant was found possessing prohibited material. The investigation is pending. The offence has social impact. Therefore, application be rejected.

7. Perused case papers. The applicant is arrested on 03-06-2026. He is remanded to Magisterial custody on the date of first production. All the alleged goods and articles are already seized. It

appears that material investigation is over. The question as to whether section 123 of BNS is applicable in present facts is pending before the Hon'ble Apex Court. In these circumstances, curtailing liberty of the applicant pending further investigation is not warranted. The grounds opposing bail can be addressed by imposing suitable conditions. Hence, the following order :-

ORDER

1. The application is allowed.
2. Applicant **Abhishek s/o Gunaji Mehetre** be released on his executing P.R. Bond of **Rs.20,000/-** with one solvent surety in the like amount, on following conditions :-
 - a) Applicant shall attend the I.O on every Thrusday in between 10.00 am to 2.00 pm till filing of charge-sheet or till 60 days from today, whichever is earlier.
 - b) Applicant shall co-operate the investigation.
 - c) Applicant shall not tamper with the prosecution evidence and witnesses.
3. Bail before JMFC.

Dictated and Pronounced in Open Court.

Date : 25.06.2026

(T.T. Aglawe)
Addl. Sessions Judge,
Nanded.

CERTIFICATE

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

Name of stenographer	Y.S. Kausadikar, Grade-1
Name of Court	Addl. Sessions Court-1, Nanded
Date of Dictation	25.06.2026
Order signed by the P.O on	25.06.2026
Order uploaded on	25.06.2026

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