

Order below Exh. No.1 in Cri. Bail Application No.250 of 2026

(CNR No.MHOS010009532026)

Yallappa Shahu Saudagar .. v/s.. State

1. This application is filed by the applicant under section 482 of Bharatiya Nagarik Suraksha Sanhita for grant of anticipatory bail in Crime No.213/2025 registered at Tamalwadi police station for the offences punishable under sections 123, 223, 274, 275, 281, 125 (A), 125 (B) of Bharatiya Nyaya Sanhita, as well as under section 26 (2) (i), 26 (2) (iv), 27 (3) (e), 30 (2) of the Food Safety and Standards Act, 2006.

2. Notice issued to the respondent/State and the respondent filed its say vide Exh.5 through Shri. M. B. Deshmukh, the learned Public Prosecutor for the State. After hearing the learned counsel for both the sides and perusal of the documents and police papers, the only question arises before me is as to whether the applicant is entitled for anticipatory bail and my answer to the same is in the affirmative, for the reasons which discussed as follows:

REASONS

3. The learned counsel on behalf of applicant submitted that, applicant is innocent. He has not committed alleged offence. In FIR nowhere mentioned his name with his particular role, which played by him in the alleged crime. The criminal background of the applicant which shown by investigation authority for opposing the bail application of applicant is not helpful. Because in the said crimes, yet competent Court is not sentenced / convicted to applicant. Applicant involved in the

alleged crime only on the ground of suspicion. Thus, submit that, this applicant is respectable person in the society. He is not having any concern with the alleged offence. He is resident within the jurisdiction of District Solapur and there he is having movable and immovable property. Hence, he may be released on anticipatory bail by imposing certain condition on him.

4. On the other hand learned DGP and investigation authority through their respective say vide Exh.5 and 6 objected anticipatory bail application on the grounds mentioned therein i.e. submit that, though the as per the contents of FIR not mentioned the name of present applicant with his particular role. Then also, during inquiry, it reveals that, this applicant through mobile call, time to time in contact with co-accused of this crime, who arrested in this crime. So also, this applicant is having criminal background and against him at Solapur Chawdi police station and Jodbhavi Peth police station, similar type of offence are registered having No.163/2024 and 9/2025. The vehicle which is seized in the alleged crime i.e. Innova four wheeler is purchased by this applicant on the name of Daut Shaikh, who is co-accused in this crime. As per the CDR report, location of mobile handset of accused No.1 and 2 and this applicant appears, they were in contact continuously. This applicant is residing at State of Karnataka. Thus, in short submit that, investigation of this crime is in progress, if this applicant is released on anticipatory bail then possibility of his absconding, help to absconded accused for avoiding arrest, repetition of similar type of offence cannot be ruled out. Hence, bail application filed by applicant may be rejected.

5. Thus considering rival submissions as advanced by both sides learned counsels and carefully gone through entire record, it appears that, after perusal of FIR nowhere disclosed name of present applicant alongwith which particular role played by him in the alleged crime. As per the report of investigation authority shows contact of this applicant with main culprit of this crime through mobile call. But as regards that contact not placed on record CDR reports. There is no any muddemal property which required to be seized from the possession of this applicant. Thus, in view of above observations I hold that, for investigation of this crime, custodial interrogation of the applicant is not warranted.

6. Then, it is fact that, applicant prosecuted under which section of BNS, M. V. Act and Food Safety and Standards Act, 2006 are not punishable with death or imprisonment for life. Out of that offences majority of offences are triable by Court of learned J.M.F.C. So also, whether this applicant is liable to be sentenced / convicted for the alleged offences or whether the said offences attracted against him can be properly adjudicated only at the time of framing of charge and at the time of final hearing i.e. after recording oral and documentary evidence of both the parties. Hence, considering nature of accusation against this applicant, I hold that, for investigation of this crime his custodial interrogation is not warranted. Thus, in result of above reasoning I proceed to pass the following order.

ORDER

- i) Anticipatory Bail Application No.250/2026 is hereby allowed.

- ii) In the event of arrest of applicant Yallappa Shahu Saudagar in C.R. No.213/2025 of Tamalwadi police station shall be released on executing P.B. of Rs.50,000/- with one local solvent surety of the like amount.
- iii) Applicant shall not tamper and hamper with the evidence of prosecution.
- iv) Applicant shall not induce threat, promise to prosecution witnesses in respect of preventing them from giving evidence before this Court.
- v) Applicant is directed to attend the concern police station on Monday, Wednesday and Saturday between 11.00 am to 1.00 pm till filing of charge-sheet.
- vi) Applicant shall furnish his residential proof alongwith his two close relatives.
- vii) Applicant shall not repeat the similar type of offence or other type of offence while on bail.
- viii) Applicant is directed to submit his passport if having before concern police station.
- ix) Violation of any conditions imposed shall amount to cancellation of bail forthwith.

Date :- 09.06.2026

[S. G. Thube]
Judge, Fast Track Special Court,
Dharashiv.

C E R T I F I C A T E

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

Name of Stenographer	Mahesh Abhimanyu Pawar Stenographer (Grade-I)
Name of Court	Fast Track Special Court, Dharashiv (Osmanabad)
Date of order/Judgment	09.06.2026
Date of order/judgment signed by presiding officer.	09.06.2026
Judgment/Order uploaded on	09.06.2026