

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, KHED-RAJGURUNGAR,
PUNE

Order below Exh.1
In
Cri. Bail Application No. 102 of 2026
(CNR. No. MHPU21-253-2026)

Balu Laxman Wagh

... Accused/Applicant

Versus

State of Maharashtra
Through Ghodegaon police station

... Complainant

Appearances:

Ld. APP Shri. S. S. Wagh for State.

Ld. Adv. Shri. V. R. Kale for applicant/accused

JUDGE : SHRI A.S. SAYYAD
Addl. Sessions Judge,
Khed-Rajgurunagar, Pune.

DATE : MARCH 20, 2026.

(DICTATED AND PRONOUNCED IN OPEN COURT)

:ORDER:

Apprehending the arrest, the applicant has preferred the instant application u/s.482 of the Bharatiya Nagarik Suraksha Sanhita for anticipatory bail in connection with C. R. No. 216 of 2021 registered with Ghodegaon police station, for the offences punishable under section 328 r/w. 34 of the Indian Penal Code (in short 'IPC'), sections 65(e)(f) and 83 of the Maharashtra Prohibition Act, sections 9 and 15 of the Environment (Protection) Act, section 3 of the Prevention of Damage to Public Property Act and section 26 of the Indian Forest Act.

2. Perused the application and reply of prosecution thereof. Heard both the sides at length of considerable time.

Background facts -

3. The informant Shri. Namdeo Navji Dhengale, a Police Constable lodged FIR with Ghodegaon Police Station alleging therein that the incident in question took place on 05/10/2021. According to informant, the applicant allegedly for his own illegal gaining prepared country made liquor from the various tree barks and the same was used and provided to public without taking any consideration of their health and safety. The applicant allegedly illegally selling country made liquor to public and created danger for their life. Hence, this report.

4. The prosecution opposed to this application vide Exh.6 merely on the ground that nature of offence is serious. If the applicant is released on bail, probability of committing similar offence cannot be ruled out. There will no remains fear of law to applicant if the application is granted. On the grounds as above, prosecution prayed for rejection of the application.

5. Having heard both the sides at the length of considerable time. I have carefully gone through the proceeding. It is important to mention that the incident in question took place on 05/10/2021. At the relevant time, all relevant recovery of country made liquor was conducted by the concerned Investigating Officer. Investigation is already completed and the charge-sheet is submitted in the Court concerned way back. Applicant appears to be 60 years old person. Since 2021 till date reply of prosecution would not reflect as to what efforts have been taken by the concerned Police Station to intercept the applicant. On the contrary, reply would show that there no remains any recovery or discovery at the instance of applicant. No criminal antecedents of

the applicant appears except the instant one. Applicant undertakes to abide any condition imposed by the Court. The Investigating Officer throughout in reply nowhere strongly claimed custodial interrogation of the applicant for investigation purpose. Reply of the Investigating Officer is in casual nature and no any strong ground put forth by the Investigating Officer to reject the application. Considering the nature and gravity of the offence, punishment provided for that and the fact that offence is of year 2021, this Court is of the considered opinion that there is no requirement of custodial interrogation of the applicant for investigation as charge-sheet is already submitted, no prejudice would be caused to the prosecution if the application is considered subject to certain conditions. It is made clear that whatever observations as above made is only for consideration of bail. Hence, the order.

ORDER

1. Cri, Bail Application 102/2026 is allowed.
2. In the event of arrest, applicant **Balu laxman Wagh** shall be released on bail on executing P. R. Bond in the sum of **Rs. 25,000/-** with surety in the like amount in connection with CR No.C. R. No. 216 of 2021 registered with Ghodegaon police station, for the offences punishable under section 328 r/w. 34 of the Indian Penal Code, sections 65(e)(f) and 83 of the Maharashtra Prohibition Act, sections 9 and 15 of the Environment (Protection) Act, section 3 of the Prevention of Damage to Public Property Act and section 26 of the Indian Forest Act.
3. The applicant shall not misuse liberty in any manner.
4. Applicant/accused shall not directly or indirectly make any inducement and/or influence and or pressurize or cause any threat or give any promise to anybody acquainted with the facts of accusations made against the applicant so as to dissuade such person from disclosing such facts to the court or to the investigating agency and shall not tamper in any

manner whatsoever with the prosecution evidence whatsoever.

5. The applicant shall remain present in the Court on its every date without fail.
6. In the event any of the condition herein being violated, the prosecution would be at liberty to seek for cancellation of bail.
7. The bail application is disposed off accordingly.

Date : 20/03/2026

(A. S. Sayyad)
Additional Sessions Judge,
Khed-Rajgurunagar, Pune.

CERTIFICATE

I affirm that the contents of the PDF file Judgment are same word for word as per original Judgment.

Name of Steno	Mrs. Pranjali Prasad Bokil Stenographer Grade I
Name of Court	Shri. A. S. Sayyad District Judge - 1 and Additional Sessions Judge, Khed-Rajgurunagar, Pune
Date of Order	20/03/2026
Order signed by PO on	20/03/2026
Order uploaded on	23/03/2026