

In the Court of Additional Sessions Judge, Wardha.

Criminal Bail Application No.282/2026

(CNR: MHWR010011612026)

Parvez Rashid Shaikh

.. Applicant

..V/s..

State of Maharashtra,
Through P.S.O., Deoli.

.. Non-applicant

Order below Exh. 1
(Passed on 17th August, 2026)

The applicant has filed the present application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking anticipatory bail in connection with Crime No.392/2026, registered for the offences punishable under section 65 (f) of the Maharashtra Prohibition Act 1949, registered at Police Station Deoli.

2] It is the case of the prosecution that, on the basis of secret information that the applicant is preparing illicit poisonous liquor, in Waigaon field shivar at the bank of Nala, the police raided the spot along with panch witnesses. When the police raided the spot, the present applicant was present at the spot, but on seeing the police, he ran away. During the raid, the police seized the following articles: 1) Eleven iron drums each containing 200 liters of Moha Sadwa, 2) 11 iron tins and other kilns material were found at the spot are seized under the seizure panchanama. Samples were prepared from the seized muddemal and the offence punishable under Section 65(f) of the Maharashtra Prohibition Act, 1949 came to be registered against the applicant. The applicant is before the Court for seeking anticipatory bail.

3] According to the applicant, the offence has registered against him merely on the basis of suspicion. In fact, the illicit liquor and other articles were found at a public place in an unclaimed condition, and the seized property has no concerned with him.

4] The application is opposed by the Investigating Officer by filing say at Exh.8, on the ground that the applicant was preparing illicit liquor at the spot, but he fled away on seeing the police. It is necessary to interrogate him to ascertain wherefrom he brought the material used for preparation of the illicit liquor and who had helped him in doing so. It is also alleged that applicant is habitual offender. If applicant is released on bail he may commit similar type of offences, and may pressurize the witnesses, hence, reject the application.

5] I have perused the reply and heard the learned counsel for the respective parties. I have also perused the case diary. It appears from the record that the applicant was not found in possession of any illicit liquor, nor is there any evidence to link the present applicant with the crime. The only allegation against the applicant is that he fled away from the spot. It is also appeared that he was not found in conscious possession of the seized material. Moreover, the entire muddemal has already been seized and nothing remains to be recovered from the applicant.

6] The punishment under Section 65 of the Maharashtra Prohibition Act is not more than three years, although it is non-bailable. Under these circumstances, merely on the ground that applicant is habitual offender, the application for anticipatory bail cannot be rejected, particularly when nothing remains to be recovered from him. Hence, the following order:

:: ORDER ::

1. The application (Exh. 1) is allowed.
2. In the event of arrest of the applicant **Parvez Rashid Shaikh** in connection with Crime No.392/2026, registered for the offences punishable under section 65(f) of the Maharashtra Prohibition Act 1949, registered at Police Station, Deoli, he shall be released on bail upon furnishing a personal bond of Rs. 25,000/- (Rupees Twenty-five Thousand only) with one solvent surety of the like amount.
3. The applicant is further directed to cooperate with the Investigating Officer, not to tamper with the evidence, and not to influence the witnesses in any manner.
4. In case any condition imposed is breached by the applicant, the prosecution shall be at liberty to apply for cancellation of bail.
5. The case diary be returned to the Investigating Officer.
6. Inform the Investigating Officer, Police Station Deoli, accordingly.

Date : 17/08/2026

(S.A.S.M. Ali)
Additional Session Judge,
Wardha.

CERTIFICATE

I affirm that the contents of this P.D.F. file are the same word to word, as per the assigned order.

(Anil N. Nakhate)
Stenographer Gr-I