

MHGA010004522026



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, GADCHIROLI
(Presided over by Shri Pravin V. Chatur)

Criminal Bail Application No.108/2026

Sunil Madhukar Yegalopwar

Aged 48 years, Occu. Agri

R/o. Bhendala, Tah- Chamorshi

Dist- Gadchiroli

.. **Applicant**

-versus-

State of Maharashtra

Through P.S.O. P.S. Chamorshi

Tah. Chamorhi, Dist. Gadchiroli

.. **Non-applicant**

.....

Order Below Exh.01

(Passed on : 07th August, 2026)

1] The applicant/accused has sought anticipatory bail in connection with Crime No. 283/2026 registered at Chamorshi Police Station for offences under Section 65(a) & 83 of the Maharashtra Prohibition Act, 1949.

Allegations in brief:

2] The informant received secret information that both the accused are possessing illicit liquor. Therefore, the informant along with raiding party members went to their house. The adjacent Chall of Dr Parwate was searched out. In the search stock of illicit liquor as mentioned in FIR and panchanama was found with intention to sell. Therefore, the informant lodged report to the Police Station.

Contentions & grounds of the applicant for bail:

3] The applicant/accused is innocent. He has been falsely implicated. The prosecution story is based on suspicion and assumption. The liquor was not recovered exclusive in custody of the applicant/accused. The alleged place where the liquor stock was stored was not belonging to the applicant/accused. There is no material establishing nexus between him and the seized property. The applicant was not apprehended on the spot. No incriminating article, sale proceeds, account books, record of transactions or any other material connecting the applicant/accused with the alleged incident is collected by the I.O. There is no independent witness or purchaser cited to establish that the applicant/accused is engaged in the sell of liquor.

4] The applicant/accused is permanent residence of Bhendala, Tah-Chamorshi, Dist- Gadchiroli. He has deep roots in the society. He will co-operate with the investigation as and when called. He undertakes not to tamper with the prosecution evidence. He is ready to abide all the terms and conditions imposed by the court. He has no criminal antecedent. He is law abiding citizen. No criminal case is pending against him. The alleged liquor has already been seized and nothing remains to be seized from the applicant/accused. He is apprehend of arrest on the basis of his name is mentioned in the FIR. Hence, he prayed for anticipatory bail.

Reply of I.O. (Exh. 5)

5] By reiterating the allegations in FIR, he submitted that the applicant/accused are absconded since commission of offence. Investigation is necessary in respect of seized muddemal property. The applicant/accused is habitual offender. The illegal sell of liquor is affected the public at large. If he released on bail, there is possibility

that he may commit similar offence. There would not be control of law. If he is not granted bail, there would not be illegal supply of liquor to other liquor seller. Therefore, if the applicant/accused released on bail, the question of law and order would arise. Hence, he prayed for rejection of application.

6] I have heard the learned APP for the State, the Investigating Officer, and the learned counsel for the applicant, and I have perused the record.

7] From the contentions of the parties and the material on record, the following points arise for my determination, to which I record my findings for the reasons mentioned thereunder:

Sr. No.	Points	Findings
1	Whether the applicant/accused is entitled to bail?	Yes
2	What order?	As per final order

REASONING

8] There are two spots of seizure of the liquor mentioned in the FIR, one is the shop of Unit of New Fashion Tailor in the Dr. Parwate Chall and the residential house of the applicant/accused. It also mentioned in the FIR that 39 Plastic Sealed Bottles of Kingfisher Strong Premium Beer are seized from the house of the applicant/accused. However, there is no material or record which would show that the house where from the said bottles of beer seized is belonging to the applicant/accused.

9] The applicant/accused submitted that the place/house where from the liquor/ stock was seized is not belonging to him.

Therefore, considering this missed link in connecting the applicant /accused with the alleged offence, I am of the opinion that he is entitled to have the interim protection granted to him to be continued until filing of the charge sheet. There is no possibility that he will abscond as he is permanent residents of his given address in the application. He is ready to further co-operate the investigation. Hence, interim protection can be continued with further conditions as imposed in the order below:

O R D E R

1. The application for anticipatory bail is hereby allowed.
2. The interim protection granted by order dated 18/06/2026 is hereby confirmed on the same conditions mentioned in the said order, with the following additional conditions:
 1. If the applicant/accused fails to attend the police station and cooperate with the investigation, the I.O. will be at liberty to seek the cancellation of bail.
 2. If the applicant/accused is found indulged in a similar offence in the future, his bail shall be canceled.

(Dictated and pronounced in open Court.)

Date : 07.08.2026

(**Pravin V. Chatur**)
District Judge-2 &
Additional Sessions Judge,
Gadchiroli

Dictated & typed, checked and signed on 07.08.2026.