

MHAH010044262026 	<u>CRIMINAL BAIL APPLICATION</u> <u>No. 1342 of 2026</u> Sachin Ramesh Panhale Vs. State of Maharashtra
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ORDER BELOW EXH.01

1. This is an application filed by applicant under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for anticipatory bail. Applicant i.e. **Sachin Ramesh Panhale** is arrest in C.R.No.557/2026 registered with Shevgaon Police Station. The relevant details are as follows :

A. Case details:

1	FIR Number and date	557/2026, 03/07/2026
2	Police Station, District and State	Shevgaon police station, Dist.: Ahmednagar, (Maharashtra)
3	Section/s Invoked	Sections 123, 223, 274, 275 of BNS Act and 26(2), 27(3)(d), 27(3)(e), 59 of Food Safety and Standards Act.
4	Maximum punishment prescribed	Upto 10 years and life imprisonment.

B) Custody and procedural compliance:

1	Date of arrest	N.A.
2	Total period of custody undergone	N.A.

C) Status of Trial:

1	Stage of proceeding (investigation/ charge sheet / cognizance / framing of charges/ Trial)	Investigation is going on.
2	Total number of witnesses	N.A.

	cited in the charge sheet	
3	Number of prosecution witnesses examined	N.A.

D) Criminal antecedents:

Sr.No.	FIR No. & Police Station	Sections	Case No.	Status
1.	1142/2023 Shevgaon	u/s. 143, 147, 149 of IPC	----	Pending
2.	503/2022 MIDC	u/s. 429 of IPC and 2(16), 9, 39, 44, 49(b), 50 & 51 of Animal Preservation Act	----	Acquitted
3.	702/2025 Newasa	u/s. 3/25 of Arms Act	----	Pending

E) Previous bail applications:

1	Court	----
2	Case number	----
3	Outcome of case	----

F) Coercive processes:

1	Whether any non-bailable warrant was issued	N.A.
2	Whether declared a proclaimed offender	N.A.

2. Applicant/accused sought to be released on bail contending that he is innocent and have no criminal background. The muddamal in the crime is already seized and investigation relating to

accused is over. He is only earning members of their families. He submitted to release on anticipatory bail subject to conditions.

3. The Prosecution opposed the application submitting that accused is owner of contraband. Further investigation is to be made, which will be hampered if accused are released.

4. Heard learned advocate for applicants and learned A.P.P. for State. Perused the documents and police papers.

5. Learned advocate for accused submitted that Investigating relating to accused is over and they are in Magisterial custody.

6. **Rahul S/o Bharat Jaiswal and other Vs. The State of Maharashtra [Anticipatory Bail Application No.342 of 2020]**, in which Hon'ble Bombay High Court (Bench at Aurangabad) observed as under:

“ It appears that applicant No.1 is the owner of vehicle used in transporting the contraband Gutka and applicant No.2 allegedly driving the said vehicle at the time of raid. Since all the packets of the contraband material came to be seized at the time of effecting the raid, the custodial interrogation of the applicants is not required. Thus,considering the role played by the present applicants, I am inclined to confirm the interim order of anticipatory bail.”

7. The Hon'ble Bombay High Court (Bench at Aurangabad) in case of **Satish S/o. Prakash Jaiswal Vs. The State of Maharashtra [2021 ALL MR (Cri) 61]**, granted anticipatory bail to the applicant therein, in which observations are made regarding Section 328 of I.P.C. that there must be an allegation about administration of poisonous substance. In the instant case also, there is seizure of Pan Masala and tobacco from accused persons, and no allegations are made regarding administration thereof to any person. In similar case of **Rahul Jaiswal (supra)** under section 328 of I.P.C., the Hon'ble Bombay High Court released driver accused on anticipatory bail when the muddemal was seized and custody of accused was found not necessary. The applicant is

only alleged to have supplied those goods. Hon'ble High Court pleased to grant anticipatory bail to him.

8. In the instant case also, Section 123 of BNS mainly is invoked. No allegations against the accused are appearing. Therefore, keeping in view the observations laid down in the citations (*supra*) by the Hon'ble Bombay High Court and the facts of the present case, there is nothing to keep the accused in custody against whom mainly Section 123 of BNS is invoked, and muddemal in the crime is already seized. Therefore, their further custody would not be required, and h may be released on bail subject to conditions. Hence, the following order:

ORDER

1. Application anticipatory bail is hereby allowed.
2. In the event of arrest, applicant Sachin Ramesh Panhale be released on bail on his executing a personal bond of Rs.25,000/- with surety in like amount to the satisfaction of Investigating Officer in connection with crime number 557/2026 registered with the Shevgaon Police Station, Dist.Ahilyanagar under sections 123, 223, 274, 275 of BNS Act and 26(2), 27(3)(d), 27(3)(e), 59 of Food Safety and Standards Act.
3. The applicant/accused shall not threaten or pressurize to any witness in the case directly or indirectly.
4. The applicant/accused shall not tamper evidence.
5. The applicant/accused shall co-operate in investigation being carried out, by remaining present as and when called by the Investigating Officer.
6. The applicant/accused shall not commit any offence during period of release.

(P. P. Deshpande)

Adhoc District Judge-2 and A.S.J.,
Ahmednagar.

Date: 14/08/2026