

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL APPLICATION NO. 1801 OF 2015

SAYYAD AKSAR S/O SAYYAD MASJID
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Kulkarni Suvidh S.
APP for Respondents: Mr.A.S.Shinde.

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CORAM : **V. M. DESHPANDE, J.**
DATE : 08th April, 2015.

Per Court:

. Heard Mr.S.S.Kulkarni, learned counsel for the Applicant.

2 By the present application, the Applicant is seeking anticipatory bail in connection with Crime No.42 of 2015, registered at Ambad Police Station, Taluka Ambad, District Jalna, for the offences punishable under Sections 379 of the Indian Penal Code and Section 48 of the Maharashtra Land Revenue Code and Mines and Minerals Act, 1957. The first information report is lodged by one Vasant Kulkarni, who is Circle officer. The theft of the minerals was noticed due to accident of a tempo in which the said minerals were carried. According to the learned counsel for the Applicant, the minerals are from his own agricultural field and he with the help of the tempo driver and owner Nabi Jaidulla Khan was transporting the same to use the same as a boundary mark.

3 The minerals whether minor or major are the property of State Government. In fact, the learned counsel for the Applicant has fairly stated that the he does not dispute the said position. The Applicant could not point out anything on record to show that the said minerals were from his own agricultural field. The crime against the nature has to be dealt with the iron hand and the unscrupulous person cannot be allowed to destroy the nature, which has ultimate adverse effect on the entire mankind.

4 In that view of the matter, the criminal application is rejected.

[V. M. DESHPANDE, J.]

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