

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO.693 OF 2015**

Shashikant Eknath Dhamdhare

..Applicant.

versus

State of Maharashtra

..Respondent.

.....

Mr. Kuldeep Patil with Mr. Shailesh Chavan for the Applicant.

Mrs. A.A. Mane, Addl. P.P. for the State.

.....

CORAM : A.S. GADKARI, J.
(VACATION COURT)**20th May 2015.****P.C. :**

The Applicant is apprehending arrest in C.R. No.87 of 2015 registered with Yawat Police Station, Taluka Daund under Section 379 read with Section 34 of the Indian Penal Code and under Section 4(1) (11) of the Mines & Minerals Act and Sections 9 and 15 of the Environmental Law.

2. It is the case of the complainant that though the Applicant was allotted tender to excavate sand from a plot of land situated at village Mandavgan-Pharata, Taluka Shirur, he exceeded his limits and excavated sand from a plot of land situated at village Kangaon, Taluka Daund. The complainant a government employee has further categorically stated that in utter defiance of all the provisions of law, the Applicant has excavated more than 3000 brass of sand, thereby causing loss to the government exchequer to the tune of Rs.1.20

Crores. The said allegation is serious enough to reject the anticipatory bail. The Applicant contended that he did not excavate sand from the plot of land situated at village Kangaon, Taluka Daund. However, after putting a specific query to the learned counsel for the Applicant about the allotment of contract for excavation of sand from the plot of land situated at village Kangaon, Taluka Daund, he was unable to point out any such document. This being a serious matter, the custodial interrogation of the Applicant is necessary.

3. In view of the aforesaid circumstances, I am not inclined to entertain the present Application and the present Application is hereby dismissed.

(A.S. Gadkari, J.)