

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRI. BAIL APPLICATION NO. 1481 OF 2016

Bharat Dynandeo Mali ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

WITH

CRI. BAIL APPLICATION NO. 1592 OF 2016

Kailas Vishwanath Dhobale ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

WITH

CRI. BAIL APPLICATION NO. 1593 OF 2016

Anil Sarjerao Surwase ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Mr. S.S. Chaudhari, Advocate for the Applicants in all BAs.

Mrs. Veera Shinde, A.P.P. for the State in BA No. 1481/2016.

Mr. Deepak Thakre, A.P.P. for the State in BA No. 1592/2016
and BA No.1593/2016.

CORAM : A. M. BADAR, J.

DATE : 11th AUGUST, 2016

P.C. :

1 Heard the learned counsel appearing for the
applicants in all these applications as well as learned APPs for
the State.

2 Perused the FIR. The averments in the FIR to the effect that on 24.06.2016 when Circle Officer visited the bed of River Bhima, he found that minor minerals were being stolen by using one JCB machine and 7 tractors to which trolleys were attached. According to the prosecution case, upon being questioned, one Mahadeo @ Bapu Ankush Kangude started quarreling with the public servants and thereafter, he as well as drivers of the vehicles started pelting stones at the public servants.

3 Present applicants/accused are owners of the vehicle involved in the alleged offence. There is no allegation against them that they were indulged in rioting. Their names are also not mentioned in the FIR. In this view of the matter, pre-trial detention of the present applicants is not warranted and as such the following order :

ORDER

- i. All these bail applications are allowed.
- ii. Applicants/accused in Crime No. 123 of 2016 for the offences punishable under sections 143, 147, 149, 323, 353, 379 and 504 of the Indian Penal Code and under section 15 of the Environmental (Protection) Act, registered with Karkamb Police

Station, Dist. Solapur, be released on bail on executing PR Bond in the sum of Rs. 5,000/- each and on furnishing solvent surety in the like amount by each of them.

- iii. As a condition of this order, in the event of filing of the chargesheet against Applicants, they should co-operate with the trial court in expeditious disposal of the trial against them.
- iv. In addition, the Applicants/accused are directed that they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of accusation against them so as to dissuade such person from disclosing such facts either to the Court or to any police officer and that applicants shall not tamper with the prosecution evidence in any manner.
- v. The bail applications are disposed of accordingly.

(A. M. BADAR, J.)

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