

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPTORY BAIL APPLICATION NO. 956 OF 2017**

Sagar Tukaram Naiknavare

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. P. G. Chavan for the Applicant

Mr. S. S. Pednekar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 16th JUNE, 2017

P.C.

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 255 of 2017 registered with the Karkamb Police Station, Solapur, for the alleged offence punishable under Section 379 of the Indian Penal Code and under Section 15 of Environment Protection Act.
3. Learned Counsel for the applicant states that the land on which sand was found, stood in the name of his father. He submitted that the applicant had no concern with the sand, which was lying on the said land. He further submitted that the applicant is an Agricultural Engineer by

profession and has studied from Vasantrao Naik Marathwada Krishi Vidyapeeth at Parbhani. He further submitted that the said sand is being dumped by some other persons and that the applicant or his family has no concern with the same.

4. Learned A.P.P states that the applicant has attended the concerned police station as directed by this Court vide order dated 6th June, 2017. He submits that the sand has been seized.

5. In the peculiar facts of this case, custodial interrogation of the applicant is not required. Accordingly, the application is allowed and the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- (ii) The applicant shall report to the Investigating Officer of the concerned Police Station as and when called, till the filing of the charge-sheet or for a period of three months, whichever is earlier.

6. The application is accordingly disposed of.
7. It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.
8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.