

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.385 OF 2019

Sagar @ Bhagwan Ambar Sonawane.] ... Applicant

Versus

State of Maharashtra.] ... Respondent

Mr. Mahendra N. Sandhyanshiv for Applicant.

Mr. S. H. Yadav , APP for State.

Mr. G. D. Garde, ASI attached to Jaykheda Police Station, present.

CORAM :- SARANG V. KOTWAL, J.
DATE :- 04 JUNE, 2019

P. C. :-

1. The Applicant is seeking bail in connection with C.R.No.I-211 of 2018 registered with Jaykheda Police Station, District Nashik, under Sections 379 and 353 of the IPC. The Applicant is arrested on 26/11/2018 in connection with this offence.

2. The FIR is lodged by the Circle Officer, Jaykheda, on 25/11/2018. It is mentioned in the FIR that on 21/11/2018 at around 10.50 p.m. the first informant and others, on prior

information, reached a river at Jaykheda. There they saw a tractor with trolley travelling nearby. The first informant and others tried to stop the said tractor. However, the driver did not stop the tractor. The first informant and others chased the tractor. The driver parked the tractor in Jaykheda village and ran away. On inspection of the tractor, they found out that it was loaded with illegally excavated sand. The tractor and the sand were seized. On further investigation, it was found that the present Applicant was the owner and the driver of the said tractor. The FIR was lodged under Sections 379 and 353 of the IPC, under Section 184 of the Motor Vehicles Act and under Sections 48(7) and 48(8)(1) of The Maharashtra Land Revenue Code, 1966.

3. The Applicant was arrested on 25/11/2018 and since then he is continuously in custody. The investigation is over and the charge-sheet is already filed.

4. Though there is sufficient evidence against the present Applicant in the charge-sheet, considering the fact that he is in custody since 25/11/2018 and also considering the fact that the

maximum punishment for the offence is 3 years, I am inclined to grant bail to the present Applicant by allowing this application. Hence, the following order.

ORDER

- (i) The Applicant be released on bail in connection with C.R.No.I-211 of 2018 registered with Jaykheda Police Station, District Nashik, on his executing P.R. bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- (ii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)