

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

ANTICIPATORY BAIL APPLICATION NO. 307 OF 2019

Girmalayya Mahaling Swami & Ors. ... Applicants

Versus

The State of Maharashtra ... Respondent

Mr. Vikrant V. Phatate for Applicants.

Ms. S. S. Kaushik, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.

DATE : FEBRUARY 20, 2019.

P.C. :

. In Crime No. 254 of 2018 for an offence punishable under Section 379 read with Section 34 of the Indian Penal Code and Sections 9 & 15 of the Environment Protection Act, 1986 all the Applicants are seeking pre-arrest bail.

2. Apart from the fact that there are criminal antecedents against the Applicant No.1 – Girmalayya Swami and Applicant No.3 – Nilkanth Kantappa Kumbhar, there is sufficient material on record to infer *prima facie* involvement in the crime in question which warrants their

custodial interrogation. As such, the request for grant of pre-arrest bail made by the Applicant No.1 – Girmalayya Swami and Applicant No.3 – Nilkanth Kantappa Kumbhar is rejected.

3. So far as the Applicant No.2 – Prakash Gurunna Bammange is concerned, since he is informed to have been already arrested, the prayer made by the Applicant No.2 for grant of pre-arrest bail has rendered infructuous. Hence, the same is disposed of, as infructuous.

4. As such, Anticipatory Bail Application stands disposed of in above terms.

(NITIN W. SAMBRE, J.)