

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

ANTICIPATORY BAIL APPLICATION NO. 649 OF 2018

Hanamant Ishvarappa Umarani & Ors. ... Applicants

Versus

State of Maharashtra ... Respondent

Mr. Ritesh Thobde for Applicants.

Mr. N. B. Patil, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.

DATE : MARCH 8, 2019.

P.C. :

. In Crime No. 22 of 2018 for an offence punishable under Sections 379, 353, 308, 115, 189, 511, 504, 506 read with Section 34 of Indian Penal Code and Sections 8 & 15 of the Environment Protection Act, the Applicants are seeking pre-arrest bail.

2. Heard Mr. Thobde, the learned Counsel for Applicants.

3. The present Applicants are vehicle owners whose vehicles were seized from the spot of the offence which were loaded with illegal excavated sand from the bed of Krishna river.

4. The submission of the learned Counsel for Applicants is that, the vehicles are already released on *supratnama* and as were given on hire to a third party, there was no criminal intention to commit an offence.

5. Having regard to the fact that the vehicles were apprehended from the spot of the offence which were loaded with the illegal excavated sand from the bed of Krishna river, in my opinion, *prima facie* involvement of the Applicants can be inferred.

6. As such, no case for grant of pre-arrest bail is made out. Hence, the Anticipatory Bail Application stands rejected.

(NITIN W. SAMBRE, J.)