

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

ANTICIPATORY BAIL APPLICATION NO. 2715 OF 2019

Dilip Chindha Wagh

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Mahendra N. Sandhyanshiy, Advocate for the Applicant.

Mr. H. J. Dedhia, APP for the State-Respondent.

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CORAM : PRAKASH D. NAIK, J.

DATE : 11th December, 2019

PC :

1. The applicant is seeking anticipatory bail in C.R. No. I-251 of 2019 registered with Malegaon Taluka Police Station, Malegaon, Dist. Nashik for offences punishable under Sections 353, 352, 323, 504 & 506 r/w Section 34 of Indian Penal Code.
2. The complainant is a Forest Officer. On 15th October, 2019 at about 16.18 p.m. when the complainant was on duty near village Dadhidi he saw tractor loaded with sand. The complainant asked the driver about the permission for excavating sand which was loaded in the tractor. The driver informed that he did not have any permission and called the applicant, who is owner of the tractor. When the applicant went to the place, he threatened complainant as to why he

had stopped his tractor. The applicant also caught hold of the collar of the complainant. He chased him with stone and obstructed the complainant in discharge of his duty.

3. Learned advocate for the applicant submitted that the applicant has been falsely implicated in this case. He did not use any criminal force. He is willing to cooperate with the investigation. There is infirmity in the FIR. However, considering the allegations made in the FIR as well as supplementary statement pointed out by learned APP and going into investigation papers, anticipatory bail cannot be granted to the applicant.

4. Hence, I pass the following order;

ORDER

Anticipatory Bail Application No. 2715 of 2019 stands rejected and disposed of accordingly.

(PRAKASH D. NAIK, J.)