

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH AT NAGPUR**

**Criminal Application (BA) No. 358 of 2019**  
**Mahendra Dhurve Vs. State through P.S. Babhulgaon**

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

Mr.A.R. Rathi, Advocate for applicant.  
Mr. N.R. Rode, APP for non-applicant.

**CORAM : MANISH PITALE, J.**

**DATED : JUNE 26, 2019**

The applicant herein is seeking bail in respect of offences registered against him and other co-accused persons under Sections 379, 188, 186, 506 R/w 34 of the Indian Penal Code as per FIR dated 17/11/2018. The case of the prosecution against the applicant and other accused persons is that they were in the process of illegal sand mining and theft of sand. When officials including the Circle Officer, Tahsildar and Talathi reached the spot, it is alleged that the applicant was driving a truck and in the process of escaping he tried to run over the officials and thereby committed the aforesaid offences. It is pointed out that investigation was completed and chargesheet was filed in the present case on 08/02/2019. It is also pointed out that the other co-accused have been enlarged on bail. It submitted on behalf of the applicant that since investigation is now complete, no purpose would be served by continuing the applicant under custody.

2. The material on record indicates that the alleged incident took place on 17/11/2018 and that the applicant has been behind bars since 11/12/2018. It has also come on record that investigation is complete and chargesheet has been filed on 08/02/2019. Considering these circumstances and the fact that all the other co-accused persons have been released on bail, the present application deserves to be allowed conditionally.

3. Accordingly, the application is allowed and the applicant is directed to be released on bail on the following conditions.

- a) The applicant shall furnish PR bond of Rs.25,000/- with surety of like amount.
- b) The applicant shall attend the proceedings before the Trial Court on each and every date.
- c) The applicant shall not enter jurisdiction of Police Station Babulgaon during pendency of the trial.
- d) The applicant shall not influence the witnesses.

4. Needless to say that on violation of any of the conditions by the applicant, bail granted to the applicant shall stand cancelled.

JUDGE