

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2514 OF 2019

Swapnil Nandkumar Survase	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Ms. Vinaya G. Padwal i/b Veerdhawal Deshmukh, Advocate for the Applicant.

Mr. S. S. Pednekar, APP for the State-Respondent.

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CORAM : PRAKASH D. NAIK, J.

DATE : 17th January, 2020

PC :

1. The applicant is apprehending arrest in connection with C.R. No.234 of 2019 registered with Karkamb Police Station, Solapur Rural, for offences punishable under Sections 353, 379 r/w 34 of Indian Penal Code r/w Sections 9 and 15 of Environment Protection Act, 1986.

2. The case of the prosecution is that information was received with regards to excavation of sand from Bheema River. The raiding party proceeded to the place. Some persons present at the scene of offence managed to run away. The complainant had learnt from the villagers that the applicant is the person who was driving one of the tractor. However, it appears that statements of villagers are not recorded. The order of Sessions Court does not refer to any such statement. In the circumstances, interim protection granted to the

applicant can be confirmed.

3. Learned APP submitted that the statements of the villagers are not yet recorded. The applicant was granted interim protection by order dated 19th November, 2019. Considering the factual circumstance as stated herein above, the interim protection can be confirmed.

ORDER

- i) Anticipatory Bail Application No. 2514 of 2019 is allowed;
- ii) In the event of arrest of applicant in C.R. No.234 of 2019 registered with Karkamb Police Station, Solapur Rural, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25000/-, with one or more sureties in the like amount;
- iii) The applicant shall attend Investigating Officer as and when called for till filing of charge-sheet.
- iv) Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)