

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.614 OF 2021
WITH ABA/557/2021

BHAGWAN MAHADEVRAO BACHATE
AND OTEHRS

...APPLICANTS

VERSUS

THE STATE OF MAHARASHTRA

..RESPONDENT

...
Advocate for Applicants : Mr. R. J. Nirmal
APP for Respondent: Mr. N. T. Bhagat
...

CORAM : SANDEEP K. SHINDE, J.

DATE : 14.07.2021

PER COURT :-

Heard learned counsel for the applicants.

2. Applicants are seeking pre-arrest bail, in connection with Crime No.146/ 2021, registered with Gangakhed Police Station, District Parbhani for the offences punishable under Section 379, 307, 353, 143, 147, 148, 149 of the Indian Penal Code and under Sections 48(7), 48(8) of the Maharashtra Land Revenue Code.

3. Upon receiving secret information, site on which the sand was being illegally excavated was raided. About 20 to 25 persons were found excavating the sand by J.C.B. machine and

few tractors were transporting the sand. Mangesh Bhise was apprehended on the spot. It appears, the raiding party was attacked by a mob of 20 to 25 persons. Raiding party, after calling for additional help, seized the sand, the J.C.B. machine and a tractor.

4. Till date, 17 persons have been arraigned as an accused, out of which seven were arrested. As on today, two accused are in Magisterial custody and two are in police custody. Seven accused have been released on bail. Herein applicant Balu Bhise and Bhagwan Bachate have criminal antecedents for committing offences of similar in nature. Statement of Ranjit Deshmukh discloses the complicity of the applicants in the crime. I have no reason to discard the statement of Ranjit Deshmukh. Having regard to the facts of the case, in my view, custodial interrogation of the applicants is necessary. Both the applications are rejected.

(SANDEEP K. SHINDE)
JUDGE

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