

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.693 OF 2021

1. Sunil S/o Angad Gejage,
Age : 36 Years, Occ. Labour,
2. Vishnu @ Satish S/o Motiram Bhise,
Age : 20 Years, Occ. Education,
3. Sarjerao Laxman Khating,
Age : 24 Years, Occ. Agriculture,

All resident at post
Pimpri Zola, Tal. Gangakhed,
Dist. Parbhani.

...APPLICANTS

VERSUS

The State of Maharashtra
Through the Senior Inspector of Police
At Gangakhed Police Station.

..RESPONDENT

...

Advocate for Applicants : Mr. A. M. Reddy
APP for Respondent: Mrs. D. S. Jape

...

WITH

ANTICIPATORY BAIL APPLICATION NO. 663 OF 2021.

Pandit @ Nandu Ananda Bhise,
Age : 38 Years, Occ. Agriculture,
R/o. Pimpri (Zola), Tq. Gangakhed
Dist. Parbhani

..APPLICANT

VERSUS

The State of Maharashtra,
Through Gangakhed Police Station,
Dist. Parbhani

..RESPONDENT

...
Advocate for Applicant : Mr. M. K. Bhosale
APP for Respondent: Mrs. D. S. Jape
...

CORAM : SANDEEP K. SHINDE J.
DATE : 07th JULY, 2021

PER COURT :-

Heard Mr. Reddy, learned counsel for the applicant and learned A.P.P. for the State.

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

3. Applicants and the co-accused were found indulging into activity of excavation of sand without any permit or authority by using the J.C.B. and other machinery. Learned counsel for the applicants would contend that they were not present on the spot where from the sand was excavated. He further submits that applicant No.2, in Anticipatory Bail Application No. 693 of 2021, is a college going student. Thus, submitted

that they were arraigned as an accused at the instance or on the basis of statements made by the co-accused. In consideration of the facts of the case in my view prosecution cannot be denied custodial interrogation of the applicants. Both the applications are rejected.

(SANDEEP K. SHINDE, J.)

YSK/