

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

931 BAIL APPLICATION NO.273 OF 2022

**CHANDPASHA ISMAIL QURESHI
VERSUS
THE STATE OF MAHARASHTRA**

Shri. G. K. Naik Thigle, Advocate for the applicant
Shri. S. B. Narwade, APP for the respondent/State

**CORAM : M. G. SEWLIKAR, J.
DATED : 15th March, 2022**

PER COURT :-

1. Heard

2. The allegations against the applicant are that the Police Station Kurunda, Taluka Basmath, District Hingoli police received secret information that the sandalwood was purchased and was being sold by the applicant and other accused. Accordingly, police raided the spot. On seeing the police party the applicant and other accused ran away. Applicant was apprehended. Sandalwood worth Rs.1,50,000/- weighing 50 Kilograms was seized. On these allegations FIR came to be lodged.

3. Learned counsel Shri. Thigle for the applicant submits that the contents of the FIR show that the applicant had purchased the sandalwood. He submits that when it is purchased it cannot amount to theft.

3. Learned APP Shri. Narwade for the respondent/State submits that applicant has criminal antecedents. Three cases are still pending against him under Section 379 of the IPC. If he is released on bail, he is likely to repeat same offence again.

4. Offence is punishable with imprisonment for 3 years. Charge-sheet is filed. Applicant is behind bars since 30th December, 2021. In this view of the matter, I am inclined to release the applicant on bail. Hence the order.

ORDER

1. Application is allowed.

2. Applicant be released on bail on his furnishing PR bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount in connection with CR No. 0220 of 2018 under Sections 379, 413 read with Section 34 of the Indian Penal Code and under Sections 41, 42, 61(I) of the Forest

Act registered with Kurunda Police Station, District Hingoli, on condition that if he commits similar offence again, his bail bond shall stand canceled.

3. Application is disposed of.

[M. G. SEWLIKAR, J.]

ssp