

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

32 BAIL APPLICATION NO.408 OF 2022

PANKAJ DIPAK MORE

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. H.P. Randhir, Advocate for the applicant

Mrs. V.N. Patil-Jadhav, APP for the respondent

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 18th APRIL, 2022

ORDER :

1 The applicant has been arrested on 14.02.2022 in connection with Crime No.256/2021 dated 31.10.2021 registered with Bhadgaon Police Station, Dist. Jalgaon, for the offence punishable under Section 353, 332, 379, 504, 506 read with Section 34 of the Indian Penal Code, 1860.

2 Heard learned Advocate Mr. H.P. Randhir for the applicant and learned APP Mrs. V.N. Patil-Jadhav for the respondent. In order to cut short, it can be said that they have argued in support of their respective contentions.

3 The First Information Report has been lodged by Circle Officer Mr. Vijay Bhanudas Yewle attached to Tahsil Office, Bhadgaon as Awwal Karkun. He and his team was on vigilance party against the illegal excavation of sand. They found one Tractor with Trolley near Industrial Training Institute on Bhadgaon-Pachora road. They inspected the Trolley and found that it was containing one brass of sand. They made inquiry with the driver of the Tractor, as to whether he has licence for the said sand, whether royalty has been paid and whose Tractor it is ? He told that the Tractor belongs to present applicant. At that time, present applicant arrived at the spot on motorcycle and started saying arrogantly that there are offences against him registered in the past and he would see what they can do. When the informant and the party asked him to take the Tractor to Tahsil Office, Bhadgaon, at that time, the applicant caught hold of the spade and manhandled with the informant. He gave threats to Talathi and others. Applicant then asked the Tractor driver to unload the Trolley and flee away. Accordingly, the Tractor driver unloaded the Trolley with hydraulic system and went towards Pachora. The applicant also went. The revenue party had taken the photographs of the driver of the Tractor as well as the present applicant and thereafter the First Information Report came to be lodged.

4 It appears that there is now only one offence pending against the

applicant, which is stated to be under Section 307, 504, 506 of the Indian Penal Code. The applicant has undergone the Police Custody and then he is in Magisterial Custody. Now, nothing is required to be recovered from the applicant. It would take long time to stand his trial and taking into consideration the criminal force allegedly used, there will not be conversion of the case into any further more serious offence. The applicant deserves to be released on bail.

5 Further, it will not be out of place to mention here that learned Advocate for the applicant has submitted that the applicant is ready to abide by the terms of the bail and in order to show bona fides he would deposit amount with any institution. Taking into consideration this statement, it would be in the interest of justice to ask the applicant to deposit amount of Rs.10,000/- with the High Court Legal Services Sub-Committee, Aurangabad. Hence, following order.

ORDER

1 Application stands allowed.

2 Applicant viz. **Pankaj Dipak More**, who has been arrested in connection with Crime No.256/2021 dated 31.10.2021 registered with

Bhadgaon Police Station, Dist. Jalgaon, for the offence punishable under Section 353, 332, 379, 504, 506 read with Section 34 of the Indian Penal Code, 1860, be released on PR. Bond of Rs.30,000/- (Rupees Thirty Thousand only) with two solvent sureties of Rs.15,000/- (Rupees Fifteen Thousand only) each.

3 The applicant shall not indulge in any criminal activity nor he should tamper with the evidence of the prosecution, in any manner.

4 Applicant shall cooperate with the investigation and shall attend Police Station, Bhadgaon on every Monday, Wednesday and Friday, between 10.00 a.m. to 02.00 p.m., till filing of charge sheet.

5 Applicant to deposit an amount of Rs.10,000/- (Rupees Ten Thousand only) with High Court Legal Services Sub-Committee, Aurangabad, on or before 25.04.2022.

6 Bail before Trial Court.

(Smt. Vibha Kankanwadi, J.)