

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

BAIL APPLICATION NO.512 OF 2023

SATISH NARAYANRAO SOLANKE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. P. R. Katneshwarkar h/f Mr. M. P. Kale
APP for Respondent : Mr. K. S Patil

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CORAM : S. G. MEHARE, J.

DATE : 30.03.2023

PER COURT :

1. Heard the learned counsel for the applicant and the learned A.PP for the respondent/state.
2. The applicant was the highest bidder to excavate sand from the sand spot. However, it has been alleged against him that he stolen sand unauthorizedly in breach of the contract. The alleged vehicles used for stealing sand were seized from the spot of the incident. The applicant was arrested and immediately sent to Magisterial custody. The investigation is mostly completed. Nothing is to be recovered from the applicant. The revenue authority has power to take appropriate action for breach of the contract and to recover the money, if any, for

unauthorized excavation of the sand. In view of the facts of the case, it would be inappropriate to keep the applicant behind bar. Hence, the following order :-

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant Satish Narayanrao Solanke be released on bail on furnishing P. B. and S.B. of Rs. 1,50,0000/- (Rupees One Lakh Fifty thousand only) with one solvent surety of the like amount, in Crime No 154/2022 registered with Manwat Police Station, Taluka Manwat, District Parbhani for the offences punishable under Sections 379, 431, 432, 439, 109, read with Section 34 of the Indian Penal Code on the following conditions :
 - (a) The applicant shall attend the concerned police station as and when called by the Investigating Officer on written notice, till filing charge sheet.
 - (b) The applicant shall not involve in the similar crime.

(S. G. MEHARE)
JUDGE