

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 767 OF 2023**

1. Popat Bhibhishan Kshirsagar

2. Ganesh Malhari Jagtap

...Applicants

Versus

The State of Maharashtra

...Respondent

.....

Mr. Sachin Thombare for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 20 MARCH 2023

P.C. :-

This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicants are apprehending their arrest in Crime No. 595 of 2021 registered at Indapur Police Station, Pune (Rural) for the offences punishable under Sections 353, 332, 379, 504, 506 r/w 34 of the Indian Penal Code, Sections 9, 15 of Environment Protection Act, Sections 3, 4 of Prevention of Damage to Public Property Act and Sections 183, 184 of Motor Vehicle Act.

3. I have heard the learned counsel for the applicants and the learned APP for the respondent-State.

4. The allegations against the applicants and other co-accused are of theft of sand.

5. The prosecution has already filed the charge-sheet against the present applicants. There are no other criminal antecedents. Considering these facts, I am inclined to release the applicants on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicants in Crime No. 595 of 2021 registered at Indapur Police Station, Pune (Rural) for the offences punishable under Sections 353, 332, 379, 504, 506 r/w 34 of the Indian Penal Code, Sections 9, 15 of Environment Protection Act, Sections 3, 4 of Prevention of Damage to Public Property Act and Sections 183, 184 of Motor Vehicle Act, they shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- each with one or two sureties in the like amount.
- (iii) The applicants shall attend the concerned police station once in a month i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

(N.R. BORKAR, J.)