



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 204 OF 2024

Daulat Keshav Kale

... Applicant

VERSUS

The State of Maharashtra
and another

... Respondents

.....
Mr. S.J. Salunke, Advocate for Applicant
Mr. S.B. Jadhav, APP for Respondents – State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 15th FEBRUARY, 2024

ORDER :

1. Applicant apprehends arrest in connection with Crime No. 085 of 2023 registered with Partur Police Station, District Jalna for the offence punishable under sections 143, 353, 379 of the Indian Penal Code and sections 3 and 4 of the Mines and Minerals Act, 1952.

2. On 17.03.2023, Rupa Chitrak, Tahsildar of Partur received information about illegal carrying of minerals. She went for confirmation of the said information along with her staff. It was noticed that one tractor bearing MH-21-L-8225 was stopped for emptying it near the side of temple. On

inquiry by the informant with the driver about permit for transporting the minerals, he failed to show the permit. Driver of the tractor fled from the spot leaving the tractor. Police Constable Wagh and Gopanwad were asked to take the tractor to police station. Driver came along with 15-20 persons, who brought pressure on informant and her staff and forcibly carried away the tractor.

3. Heard learned advocate for applicant and learned APP for respondents – State. Perused the investigation papers.

4. Applicant is the owner of the tractor, his name was painted on the head of the tractor. It is revealed during investigation that applicant, Sunil Devram Pawar along with 15-20 persons obstructed informant in discharging her official duty by forming an unlawful assembly, abused and threatened informant and her staff and applicant was doing illegal transportation of sand. Applicant along with other members of assembly has forcibly took possession of tractor seized by informant and has carried away the tractor. Twelve offences are registered against applicant at Partur Police Station.

5. Considering the gravity of accusations and his complicity in the crime and his criminal antecedents, applicant is not entitled for discretionary relief of anticipatory bail.

6. Application is therefore rejected.

[NITIN B. SURYAWANSHI]
JUDGE