

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 822 OF 2024

1. Hisamuddin @ Isamuddin
Imran Chikhalekar
 2. Shamil Imran Chikhalekar
- Applicants

Versus

The State of Maharashtra

.... Respondent

Mr.G.T. Kanchanpurkar, for the applicant.

Mr. C.D. Mali, APP for the State/Respondent.

CORAM :SARANG V. KOTWAL, J.
DATE : 26th MARCH, 2024

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No 97 of 2024 registered at Padgha Police Station, Thane, on 22/02/2024, under sections 353, 332,379, 506 r/w 34 of the Indian Penal Code and under Section 41 and 52 of the Indian Forest Act.

2. Heard Mr.Kanchanpurkar, learned counsel for the Applicant and Mr. Mali, learned APP for the Respondent-State.

3. The FIR is lodged by PI Bala Kumbhar. He has stated that on 21/02/2024, he received information that some people were transporting woods illegally cut from the forest. The Police

Officers went to the spot at about 7.00 p.m. They found that one tempo was parked in an agricultural land. There was some illegally cut wood in the tempo. The Applicant No. 2 and the other accused Rashid Shaikh came near the Police Officers and started quarreling with them. Applicant No. 2 was caught by the Police Officers. The other two persons and Rashid Shaikh went away with the tempo. The illegally cut wood was found on the spot. It was seized. On this basis, the FIR is lodged.

4. Learned counsel for the Applicant submitted that Applicant No. 1 is not named in the FIR. The Applicant No. 2 was caught at the spot. The FIR does not mention as to how he was allowed to go or as to how he could get away from the spot.

5. Learned APP submitted that the investigation is in the initial stages. The arrested accused Rashid Shaikh had given information that the applicant No. 1 was also involved. However, no such statement is recorded. There is only a vague reference in a general diary extract.

6. Considering this situation, as of today, the Applicants can be protected by way of ad interim relief till the next date. Hence the following order.

ORDER

- (i) In the event of their arrest in connection with C.R.No 97 of 2024 registered at Padgha Police Station, Thane, till the next date, the Applicants are directed to be released on bail on their executing P.R. bonds in the sum of Rs.30,000/- each (Rupees Thirty Thousand Only) with one or two sureties each in the like amount.
- (ii) This order shall operate till 30/04/2024.
- (iii) The applicants shall attend the concerned Police Station on 4th, 5th and 6th April 2024 between 1.00 p.m. to 5.00 p.m. and thereafter as and when called. The Applicants shall co-operate with the investigation.
- (iv) Stand over to 30/ 04/2024.

(SARANG V. KOTWAL, J.)