



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.428 OF 2024

Gopal Kailas Jamav

Vs.

State of Maharashtra, Through Police Station Officer, Shegaon (Rural),
District Buldhana

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. V. S. Alone, Advocate for applicant.

Mr. D. V. Chauhan, Public Prosecutor for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 18/07/2024

1. The application is for grant of pre-arrest bail in connection with Crime No.159/2024 registered with Police Station, Shegaon (Rural), District Buldhana for the offences punishable under Sections 143, 332, 353, 379 and 506 of the Indian Penal Code.

2. Learned Counsel for the applicant submitted that the accusation against the present applicant is on the basis of report lodged by Naib Tahsildar alleging that when he was on patrolling duty, he found present applicant excavating the sand illegally without having any permit and fled away from the spot of incident. He further submitted that as far as the implication of the present applicant is concerned which is false one. The tractor is already seized, his custodial interrogation is not required.

3. Learned Public Prosecutor strongly opposed the said application and submitted that the public servant was restrained by the present applicant while discharging his duty as well as the excavation of the sand was illegal. In view of that, custodial interrogation is required.

4. After hearing the learned Counsel for the applicant and learned APP for the State, perused the investigation papers from which it reveals that the custodial interrogation of the present applicant is not required as he has already produced his tractor. He has also cooperated with the investigating agency after he is released on ad-interim anticipatory bail.

5. In view of that, the interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass following order:

ORDER

(i) Interim protection granted to the present applicant is hereby confirmed with the similar conditions.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)