



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

15 BAIL APPLICATION NO. 1144 OF 2025

1. WASIM SALIM SAYYAD
2. MANOJ KADUBAL JAGDALE

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Abhaysinh K. Bhosle
APP for Respondent/State: Mr. D. J. Patil

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CORAM : ARUN R. PEDNEKER, J.

DATE : 21.07.2025

P.C. :

1] Heard learned counsel for the applicants and the learned APP for the respondent-State.

2] The applicants are seeking bail as they were arrested on 17.05.2025 in connection with Crime No.0183/2025, dated 16.05.2025, registered with Gangapur Police Station, District Chhatrapati Sambhajanagar (Gramin), for the offences punishable under Sections 109, 132, 281, 303(2) read with 3(5) of the Bharatiya Nyaya Sanhita & under Sections 21(1) to 21(5) of the Mines and Minerals (Development and Regulation) Act, 1957.

3] The case against the applicants is that the informant after attending the official meeting had been travelling by the government vehicle. It is noticed by the

informant that a Hyva truck was carrying sand, which was driven by the present applicant no.1 and accompanied by applicant no.2. Thereafter, the informant signled to stop the Hyva, however, instead of stopping the Hyva it has been driven in high speed and, thereafter, the Hyva was chased and an attempt was made to stop the Hyva. At that time, the Hyva tried to be dashed to the government vehicle. Accordingly, the applicants were arrested between the night of 16th and 17th May, 2025.

4] The learned counsel for the applicants has produced the spot panchanama. He submits that there is no dash given to the government vehicle. The vehicle was intercepted by the officials and, thereafter, the applicants were arrested by the informant and thereafter the FIR is registered.

5] Perused the police papers. From the statement of the driver of the government vehicle it appears that the applicants tried to give dash to the government vehicle. However, since, there is no dash given to the government vehicle, so also, considering that there are no antecedents against the applicant, this court would consider granting bail to the applicants.

As regards the illegal transportation of sand is concerned, appropriate actions can be initiated against the owner of the Hyva and others.

6] In view of the above, the application is allowed in the following terms :

a] The applicants shall be released on bail in connection with Crime No.0183/2025, dated 16.05.2025, registered with Gangapur Police Station, District Chhatrapati Sambhajinagar (Gramin), for the offences punishable under Sections 109, 132, 281, 303(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 & under Sections 21(1) to 21(5) of the Mines and Minerals (Development and Regulation) Act, 1957, on furnishing PR bond of Rs.20,000/- each with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicants shall attend the concerned police station once in a week for the first two weeks and, thereafter, as and when called by the Police.

c] The applicants, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

d] The applicants shall co-operate with the trial Court and they shall attend each and every date, unless exempted by the trial Court.

e] The applicants shall not tamper with the evidence of the prosecution and they shall not influence the informant, witnesses and other persons concerned with the case.

f] The applicants, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

7] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicants shall be liable to be cancelled.

8] It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE