

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2832 OF 2025**

Abhijit @ Abhijeet Prakash Bankar	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 2834 OF 2025**

Cyril Francis Rodriguez @ Rodrigues	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 2836 OF 2025**

Anil Ambadas Chavan	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 2837 OF 2025**

Ratna Dilip Navale	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 2839 OF 2025**

Bharat Motiram Navale	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Aniket Nikam a/w Piyush Koshire i/b Amit Icham, for the Applicant (In ABA Nos. 2832/2025 & 2834/2025).
Mr. Sandeep D. Shinde a/w Umesh Iyer, for the Applicant (In ABA Nos. 2836/2025, 2837/2025 & 2839/2025).
Mr. S.A. Karmakar, APP, for the Respondent-State (In ABA Nos. 2832/2025 & 2834/2025).

Ms. S.M. Yadav, APP, for the Respondent-State (In ABA No. 2836/2025).

Mr. A.R. Metkari, APP, for the Respondent-State (In ABA Nos.2837/2025).

Mr. S.M. Mangaonkar, APP, for the Respondent-State (In ABA No.2839/2025).

Mr. Eknath Trimbak Bhoir, PSI, Wadivare Police Station, Nashik (R), present.

CORAM: MADHAV J. JAMDAR, J.

DATED : 10th OCTOBER 2025

PC:-

1. Heard Mr. Aniket Nikam and Mr. Sandeep Shinde, learned Counsels for the Applicants and Mr. Karmakar, Ms. Yadav, Mr. Metkari and Mangaonkar, learned APP's for the Respondent - State.

2. All these Anticipatory Bail Applications are filed under Section 482 of the Bharatiya Nagrik Surakhsa Sanhita, 2023 ("BNSS") seeking pre-arrest bail in connection with C.R.No. 210/2025 registered with Wadiwarhe Police Station, Nashik Gramin on 25th September 2025 under Sections 3, 4 and 21 of Mines and Minerals (Development & Regulation) Act, 1957 and under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023 ("BNS").

3. As per the prosecution, the First Informant who is serving as Circle Inspector along with Tehasildar and concerned officials visited village Sarul and inspected the stone quarry in that area on 14th July 2025 and 25th July 2025 and noticed that excavation is being made without having a valid licence or after licence period is over. It is the prosecution case that all the applicants have carried out excavation without having any permission to that effect.

4. It is the main submission of both the learned Counsels appearing for the Applicants that the alleged excavation was carried out during the period when they are having valid licence. It is further submitted that in any case they have paid the respective penalties. Both the learned Counsels submitted that there are no antecedents and in any case custodial interrogation is not necessary.

5. On the other hand all the learned APPs submitted that the offence is very serious and therefore the Anticipatory Bail be not granted.

6. Both the learned Counsels appearing for the Applicants tender a charts which is reproduced herein below:

Name of the Applicant	Anil Ambadas Chavan	Ratna Dilip Navale	Bharat Motiram Navale
ABA No.	2836/25	2837/25	2839/25
Date of Excavation as per FIR	14/07/2025 And 25/07/2025	14/07/2025 And 25/07/2025	14/07/2025 And 25/07/2025
Date of FIR	25/09/2025	25/09/2025	25/09/2025
License Period	03.01.2019 To 02.03.2019	11.2.2025 And 31.05.2025	26/03/2025 To 05/06/2025
Penalty Amount	5,42,875	1,09,375	5,42,875
Penalty Paid	Yes	yes	yes

Name of the Applicant	Abhijit @ Abhijeet Prakash Bankar	Cyril Francis Rodriguez @ Rodrigues
ABA No.	ABA/2832/2025, Sr. No. 941	ABA/2834/2025, Sr. No. 943
Role of the Applicant	Excavation of 30 brass of stones.	Excavation of 50 brass of stones.
Date of Excavation as per FIR	14/07/2025 and 25/07/2025	14/07/2025 and 25/07/2025
Date of FIR	25/09/2025	25/09/2025
License Period	Temporary License from <u>01/04/2025 - 20/06/2025</u>	M/s. Nirman Buildment through Nilesh Agarwal and Vipul Podar were granted permission for excavation in Gat No. 126/1 situated at Sarul, Tal. & Dist.: Nashik for 5 years vide order dated 26/02/2020 i.e., from <u>26/02/2020 till 25/02/2025</u> . Thereafter vide order dated 25/01/2024 the said excavation was transferred-assigned to the Applicant.
Penalty Amount	Rs. 3,26,125/-	Rs. 5,42,875/-
Penalty Paid	Yes, on 25/09/2025	Yes, on 25/09/2025

7. Although there is a dispute concerning whether the excavation was during the licence period or after the licence period was over, however, in any case the respective Applicants have paid the penalty. Thus custodial interrogation is not necessary.

8. Accordingly, the case is made out for grant of Anticipatory Bail by imposing certain conditions. In view thereof, the following order is passed:

ORDER

- (a) In the event of arrest of the Applicants i.e. Accused No.5 - Abhijit @ Abhijeet Prakash Bankar, Accused No.3 - Cyril Francis Rodriguez @ Rodrigues, Accused No.6 - Anil Ambadas Chavan, Accused No.2 - Ratna Dilip Navale and the Accused No.4 - Bharat Motiram Navale in connection with C.R.No. 210/2025 registered with Wadiwarhe Police Station, Nashik the Applicants are directed to be released on bail on their furnishing P.R. Bonds in the sum of Rs.25,000/- each with one or two solvent sureties each in the like amount.
- (b) The Applicants shall attend the concerned Police

Station on every Sunday between 11:00 a.m. to 01:00 p.m. till filing of the chargesheet and shall cooperate with the investigation. In addition, the Applicants shall attend the concerned Police Station as and when called.

- (c) The Applicants shall furnish their cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicants shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicants shall not leave India without prior permission of the Court.

9. The Anticipatory Bail Applications are disposed of accordingly.

[MADHAV J. JAMDAR, J.]