



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

CRIMINAL APPLICATION (ABA) NO.69 OF 2025

Devendra Jayram Gawai

Vs.

The State of Maharashtra, through Range Forest Office Patur Dist. Akola

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

Court's or Judge's orders

Mr. H.V. Dhage, Counsel for the applicants.

Mr. Anant Ghogare, APP for the non-applicant State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 06/03/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.01579/2/2024 registered at Patur Forest for the offence punishable under Sections 41, 42, 52 of the Indian Forest Act and under Sections 31, 53 & 82 of the Maharashtra Forest Rules, the applicant approached this Court for grant of bail in the event of his arrest.

2. Heard learned counsel for the applicant.

3. The allegation against the present applicant is that without permission he has cut the trees for the purpose of selling it. On the basis of the said allegations, crime is registered.

4. Learned counsel for the applicant submitted that now the cut trees and parts thereof

are already recovered. As far as the custodial interrogation of the applicant is concerned, which is not required. The applicant is ready to cooperate the investigation.

5. Learned APP strongly opposed the application and submitted that his custodial interrogation is required for the interrogation purpose.

6. After hearing on both the sides and on perusal of the investigation papers, it reveals that the articles i.e. trees which were cut into pieces are already seized from the spot of the incident. As far as the part of the interrogation is concerned which can be taken care of by imposing certain conditions.

7. Accordingly, I proceed to pass following order.

ORDER

(i) The application is allowed.

(ii) In the event of arrest, in connection with Crime No.01579/02/2024 registered at Patur Forest District Akola on 26.12.2024 for the offences punishable under Sections 41, 42, 52 of the Indian Forest Act and under Sections 31, 53 & 82 of the Maharashtra Forest Rules the applicant- **Devanand Jayram Gawai** shall be released on anticipatory bail on executing PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety in the like amount.

(iii) The applicant shall make himself available once in a week on Monday between 10.00 a.m. to 1.00 p.m. before the forest officer for the interrogation and investigation purpose.

(iv) The applicant shall not directly or indirectly make any inducement and threat or promise to any person acquainted with the facts of the present case.

8. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)