

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 98 OF 2026**

Shabgir Dastgir Jamadar

...Applicant.

Versus

The State of Maharashtra and anr.

...Respondents.

Mr. Amit A. Mahadik for the Applicant.

Mr. S. S. Chaudhari, APP for the Non-Applicant Nos. 1 & 2/State.

Mr. Vilas Kale I. O. ACF, Kolhapur,

CORAM : M. W. CHANDWANI, J.

DATE : 30th APRIL, 2026.

P.C.

1. The Applicant is apprehending arrest in connection with Crime No. WL-1 of 2025 registered with the Circle Forest Officer, Kanur Khurd, Forest Area Chandgad, District Kolhapur, for the offences punishable under Sections 2(16), 9, 50, and 51 of the Wild Life (Protection) Act, 1972, and under Sections 3, 4, 25, and 27 of the Arms Act, 1959.

2. Heard the learned counsel for the Applicant and the learned APP for the Non-Applicant State.

3. Upon perusal of the case diary, it appears that on 13.12.2025, the Forest Officer received secret information that certain persons had entered the reserved forest with the intention of poaching wild animals. Acting upon the said information, a search operation was conducted by the Forest Department. During the search, two vehicles were found inside the reserved forest. The forest officials pursued the said vehicles in order to

apprehend those persons. One vehicle, i.e., a Renault Duster bearing No. MH-04-GE-0938, was found abandoned inside the forest, while the other vehicle managed to escape. The persons who were in the Renault Duster fled from the spot, leaving the vehicle behind.

4. Upon inspection of the said vehicle, articles used for poaching wild animals were recovered. In addition to the poaching equipment, a sharp-edged weapon, live cartridges, bullets, and a mobile phone belonging to the present applicant were seized from the said vehicle. Accordingly, an offence was registered under the aforesaid provisions of the Wild Life (Protection) Act, 1972, and the Arms Act, 1959.

5. During the course of the investigation, it was revealed that a total of eight persons were involved in the offence out of whom, four accused have been arrested. During interrogation, the arrested accused disclosed that they had entered the reserved forest for the purpose of hunting and were engaged in the business of trading in wild animal meat. Further, during the investigation, the involvement of the present applicant has also been revealed.

6. Perusal of the case papers reveals that the vehicle seized in connection with the present crime, i.e., the Renault Duster car is registered in the name of the applicant's brother. The investigation papers further disclose that in his statement, the applicant's brother has stated that the applicant had taken the said vehicle without his knowledge and permission at the relevant time. Furthermore, a mobile phone belonging to the

applicant was also seized from the said vehicle. Thus, *prima facie*, there is material which indicates the presence of the applicant in the reserved forest. The sharp-edged weapon and other materials recovered from the vehicle, which are commonly used for poaching wild animals further substantiate the involvement of the applicant, who is alleged to have been using the said vehicle. Therefore, I do not find substance in the contention advanced by the learned counsel for the applicant that there is no material on record to connect the applicant with the alleged offence. All this material suggests that the applicant along with other co-accused, is engaged in the unlawful activity of hunting wild animals and selling their meat. Various aspects of the said illegal business are required to be thoroughly investigated, which necessitates custodial interrogation of the applicant. The interrogation of an accused in custody has its own significance.

7. Considering the nature of the allegations, the material available against the present applicant, and the necessity of custodial interrogation for advancing the investigation in the proper direction, this Court is of the view that the extraordinary relief sought cannot be granted in favour of the present applicant.

8. Hence, the application stands rejected.

[M. W. CHANDWANI, J.]

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