

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3285 OF 2025

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1. Deven Yashwant Thakare ...Applicants

2. Sunita Pravin Mohane

Versus

The State of Maharashtra

...Respondent

Mr. Vivek Punjabi i/b Priyansh Jain, for the Applicants.

Ms. R. V. Newton, APP, for the Respondent-State.

P.S.I. E. T. Bhoir, Wadivarhe Police Station, District-Nashik, present.

CORAM: MADHAV J. JAMDAR, J.

DATED: 05 JANUARY 2026

PC:-

1. Heard Mr. Punjabi, learned Counsel appearing for the Applicants and Ms. Newton, learned APP for the Respondent-State of Maharashtra.

2. By the present Anticipatory Bail Application filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, the Applicants are seeking pre-arrest bail in connection with CR No.210 of 2025 registered on 25th September 2025 with the Wadivarhe Police Station, District - Nashik, for the offences punishable under Section 303(2) of the *Bharatiya Nyaya Sanhita*,

2023 (“**BNS**”) and Sections 3, 4 and 21 of the *Mines And Minerals (Development And Regulation) Act, 1957*.

3. As per the prosecution case, the First Informant who is serving as Circle Inspector along with Tahsildar 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 Mr. Punjabi, learned Counsel for the Applicants, that the alleged excavation was carried out during the period when the Applicants are having valid licence. It is further submitted that in any case the Applicants have paid the respective penalties. Learned Counsel submitted that there are no antecedents and in any case custodial interrogation is not necessary.

5. On the other hand, Ms. Newton, learned APP submitted that the offence is very serious and therefore the Anticipatory Bail be not granted.

6. Learned Counsel appearing for the Applicants tender a Chart which is reproduced herein below :-

Name of the Applicant	Deven Yashwant Thakare (Applicant No.1)	Sunita Pravin Mohane (Applicant No.2)
ABA Number	3285/2025	3285/2025
Date of Excavation	14/07/2025 & 25/07/2025	14/07/2025 & 25/07/2025
License period	11/02/2025 To 20/03/2025	NA
Penalty Amount	3,26,125/-	1,63,563/-
Penalty Paid	Yes	Yes

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 Applicant No.1 - Deven Yashwant Thakare and Applicant No.2 - Sunita Pravin Mohane, in connection with CR No.210 of 2025 registered with the Wadivarhe Police Station, District-Nashik, they be released on bail on their furnishing PR 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, once in a week i.e. on every Sunday between 11:00 am to 01:00 pm, till filing of the Charge-sheet 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 numbers and residential addresses 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 Applicants 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 Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]