



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO. 218 OF 2026

Maksud S/o. Juber Ansari

Vs.

State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V. V. Dahiwal, Advocate for applicant.
Ms. S. B. Bissa, APP for non-applicant/State.

CORAM :- M. W. CHANDWANI, J.

DATED :- 25.03.2026

The applicant seeks anticipatory bail in connection with Crime No. 1007/2025 registered with Police Station Bori, Nagpur Rural for the offence punishable under Sections 303(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023, Section 3 of the Prevention of Damage to Public Property Act, 1984, Section 4, 21 of the Mines and Minerals (Development and Regulation) Act, 1957 and Section 48(8) and 48(7) of the Maharashtra Land Revenue Code, 1966.

2. Issue notice to the non-applicant, returnable on 09.04.2026.
3. The learned APP waives service of notice for the non-applicant/State.

4. The contention of the learned counsel for the applicant is that just because the Tractor-Trolley was registered in the name of the applicant, the applicant has been named as an accused in the alleged excavation and theft of minor mineral-sand. Further contention is that none of the alleged offences are punishable with more than five years.

5. Considering the nature of allegations against the present applicant, detailed scrutiny of the case-diary as well as reply of the prosecution is required, which is not available today. Considering the submission of the learned counsel for the applicant, a case is made out for grant of *ad-interim* protection to the applicant. Hence, the following order:-

i) Pending application, in the event of arrest, applicant- Maksud S/o. Juber Ansari be released on bail on furnishing a P.R. bond of Rs.25,000/- with one solvent surety in the like amount in connection with Crime No. 1007/2025 registered with Police Station Bori, Nagpur Rural for the offence punishable under Sections 303(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023, Section 3 of the Prevention of Damage to Public Property Act, 1984, Section 4, 21 of the Mines and Minerals (Development and Regulation) Act, 1957 and Section 48(8), 48(7) of the Maharashtra Land Revenue Code, 1966.

ii) The applicant shall appear before the concerned Police Station between 10:00 am to 12 noon on every Friday and Tuesday for the next two weeks.

iii) The applicants shall not threaten the prosecution witnesses, shall not tamper with the prosecution evidence and shall co-operate in the investigation.

(M. W. CHANDWANI, J.)