



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

CRIMINAL APPLICATION (ABA) NO.227 OF 2026
Vilas s/o Jayram Uchibagale Vs. State of Maharashtra

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

Court's or Judge's orders.

Shri K.S. Motwani, Advocate for applicants.
Shri C.A. Lokhande, APP for respondent/State.

CORAM : RAJNISH R. VYAS, J.
DATE : 15.04.2026.

1. Receipt of secret information resulted into conducting raid at the house of accused no.1. In the raid, teakwood timber was found and, consequently, Crime No.03537/88414, dated 11.03.2026, was registered for the offences punishable under Sections 33(1), 52, 41 and 42 of the Indian Forest Act. So far as the present applicant is concerned, it was submitted that he was present on the spot and ran away when the raiding party arrived.

2. The learned counsel for the applicant has contended that the principal accused, namely Sangita Kumbhre in whose house timber was found was not arrested by taking recourse under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS). He submitted that the crime property is already seized and therefore, custodial interrogation of the applicant is not required.

3. *Per contra*, the learned APP contended that the offences are of serious nature and the applicant ran away from the spot, which shows that he was involved in the crime.

4. With the assistance of the respective counsels, I have gone through the record of the case. Even according to the case of the prosecution, the teakwood timber was found in the house of accused no.1 – Sangita, though it is wrongly mentioned in the reply that it was found in the house of accused no.2. It is also not disputed that the principal accused was not arrested and recourse to Section 35(3) of the BNSS was taken. It is pertinent to mention here that the teakwood timber has already been seized and the principal accused was not arrested. There is one more fact which is required to be taken into consideration that the present applicant was released on ad interim anticipatory bail on 27.03.2026 by this Court, and he was directed to attend the office of the Range Forest Officer. The applicant has contended that he has attended the office of the Range Forest Officer, a fact which is not disputed by the learned APP. Hence, the following order is passed:

ORDER

- (i) The application is allowed and disposed of.
- (ii) In the event of arrest in connection with Crime No.03537/88414 dated 11.03.2026 was registered for the

offence punishable under Sections 33(1), 52, 41 and 42 of the Indian Forest Act, applicant – **Vilas S/o Jayram Uchibagale** shall be released on bail on furnishing a PR bond of ₹25,000/- [Rupees twenty five thousand only] with one solvent surety in the like amount.

(iii) The applicant shall attend the Range Forest Officer, Forest Range, Nakadongri, Tah. Tumsar, Dist. Bhandara as and when called by him.

(iv) The applicant shall cooperate with the investigating agency and shall not tamper with the prosecution evidence or influence the witnesses directly or indirectly.

(v) The applicant shall not leave India without prior permission of this Court.

(Rajnish R. Vyas, J.)

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