

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

**CRIMINAL APPLICATION NO. 920 OF 2022**

Shri Ashok s/o Suryabhan Gajbhiye

..vs..

State of Maharashtra, thr. P.S.O. and anr.

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

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Shri B.H. Tekam, Advocate for the applicant.

Shri Deshpande, A.P.P. for the non-applicant no. 1/State

**CORAM : VINAY JOSHI, J.**

**DATED : 30.12.2022.**

Heard.

2. In anticipation of arrest in Forest Crime No.400555 of 2022 registered with North Range Forest Officer, Umred, Nagpur for the offence punishable under Section 33(1)(A)(c) of the Indian Forest Act, 1927, the applicant is prayed for pre-arrest protection.

3. In fact, the applicant has applied to the Sessions Court for pre-arrest bail in which he sought interim relief, which was rejected, that is why the applicant has filed this application.

4. The Sessions Court has declined to grant interim protection for the reason that the offence is non-bailable. As a matter of fact, since the offence is of non-bailable nature, the application for pre-arrest bail is maintainable. Besides no other reason has been assigned by the Sessions Court. The alleged offence attracts punishment which may extend to the imprisonment for one year along with a fine. Already, the Sessions Court has issued notices and the pre-arrest bail application is fixed for hearing on 02.01.2023.

5. In view of above, following order is passed :
- (a) In the event of arrest the Applicant/Accused Shri Ashok s/o Suryabhan Gajbhiye in Forest Crime No.400555 of 2022 registered with North Range Forest Officer, Umred, Nagpur for the offence punishable under Section 33(1)(A)(c) of the Indian Forest Act, 1927, be released on interim bail on his furnishing P.R. bond of Rs.15,000/- with one surety in the like amount.
  - (b) The interim protection shall remain in force till the decision of the anticipatory bail application pending before the Sessions Court.
  - (c) The Sessions Court shall decide the pending bail application within one week from 02.01.2023.
6. The application stands disposed of accordingly.

**(VINAY JOSHI, J.)**

*Trupti*