

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1059 OF 2015

Maharsingh Indarsingh Juneja

.... APPLICANT

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. Niteen V.Gaware, Advocate for Applicant.

Mrs. V.A.Shinde, A.P.P. for Respondent – State.

.....

CORAM : V.M.DESHPANDE, J.

DATE : 31st MARCH, 2015

.....

PER COURT :

1. The present applicant is seeking his enlargement on bail in connection with Crime No. 121/2014 for the offences punishable u/s 3/25 and 7 of the Indian Arms Act, 1959 registered with Police Station Tofkhana, district Ahmednagar.

2. Heard Mr. Niteen V.Gaware, learned counsel for the applicant and Mrs. V.A.Shinde, learned A.P.P. for Respondent – State in extenso.

3. It is clear that the investigation is over and the charge sheet is filed before the Court below.

4. As per prosecution, the applicant was arrested for possession of country made Pistol. According to prosecution, six Pistols and fifty one live cartridges are recovered at the instance of applicant in view of his statement u/s 27 of the Evidence Act.

5. Learned A.P.P. submitted that if the applicant is released on bail, then his presence will be very difficult at the time of trial, looking to the fact that he is resident of Madhya Pradesh. The apprehension of the prosecution can be taken care of by imposing condition of providing two sureties who are permanent resident of Maharashtra State. It is clear that in near future the trial is not likely to be commenced. The custodial presence of the applicant will not subserve any purpose.

6. Hence, I pass the following order :

(i) The present Criminal Application is hereby allowed.

(ii) The Applicant be released on bail in connection with Crime No. 121/2014 for the offences punishable u/s 3/25 and 7 of the Indian Arms Act, 1959 registered with Police Station Tofkhana, district Ahmednagar on he executing P.R. Bond of Rs. 20,000/- [Rupees Twenty Thousand] with two solvent sureties of like amount and each of them shall be permanent

resident of Maharashtra State. Bail before the trial Court.

(iii) The Applicant is directed to report to the Investigating Officer once a month and preferably on Sunday between 11.00 a.m. and 2.00 p.m. till the Charge is framed by the learned Sessions Judge.

(iv) With these observations, the present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]