

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL APPLICATION NO. 5820 OF 2015

SAYYAD MUJIB SAYYAD MOINUDD
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Abhaysinh K. Bhosale.
APP for Respondent : Mr. S. J. Salgare.

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CORAM : **INDIRA K. JAIN, J.**

DATE : 16th November, 2015.

ORDER:

. Heard the learned counsel for parties. Perused papers of investigation.

2 Applicant is involved in Crime No.I-295 of 2015 registered with Cantonment Police Station under Sections 3 read with 25 of the Arms Act and Section 135 of the Bombay Police Act.

3 It is the case of prosecution that on 11th September, 2015 a secret information was received that one person had been to Cantonment for selling revolver. Police conducted raid and one Asif

was found in possession of a revolver which came to be seized by Police.

4 On 19th September, 2015 when Accused Asif was in Police custody he made a statement before Police implicating the present Applicant. Except the statement of co-accused no other evidence could be collected during investigation against Applicant Sayyad Mujib Sayyad Moinuddin. The offences are triable by Magistrate. Custodial interrogation of Applicant is not necessary as revolver is already seized from Accused Asif. Applicant is permanent resident of Padegaon, Aurangabad. He is not likely to flee from justice.

5 Considering the manner of incident and nature of offence alleged against the Applicant, this Court finds it fit to exercise judicial discretion. Hence the following order:

ORDER

- I. Criminal Application No.5820 of 2015 is allowed.
- II. Applicant be released on P.R. and S.B. of Rs.15,000/- each.

- III. Applicant shall not tamper with prosecution witnesses and shall make himself available as and when required for investigation.

[INDIRA K. JAIN, J.]

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