

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1871 OF 2015

Shri Santosh Pandurang Tonde

..Applicant

v/s.

The State of Maharashtra.

..Respondent

Mr. D. D. Ranaware for the applicant.

Mrs. G. P. Mulekar for the Respondent-State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : DECEMBER 17, 2015.

P.C.

. This is an application for anticipatory bail filed by the aforesaid applicant apprehending his arrest in C.R.No.3120/15 registered with Hadapsar Police Station, District Pune, for the offences punishable under Section 3(25) and (27) of Indian Arms Act and u/s.37(1) (3) of Bombay Police Act, 1951.

2. Heard Mr. Ranaware, learned Counsel for the applicant, and the learned APP for the State.

3. I have considered the submissions advanced by the learned counsel for the applicant and the learned APP for the State, and perused the records. The records prima facie reveal that three fire arms were recovered from the co-accused Somnath More. The applicant is arrested solely on the basis of the statement of the co-accused who has allegedly stated that the applicant had handed over said fire arms to him. Apart from the statement of the co-accused, prima facie there is no material on record to indicate that the said fire arms belonged to the

applicant.

4. Learned APP has submitted that the Investigating Agency has received secret information that the applicant herein is in possession of another revolver. However no such entry is made in the case diary about receipt of said secret information.

5. Considering this aspect and that fire arms are already recovered, in my considered view, the applicant is entitled for bail. Hence, the anticipatory bail application is granted on the following terms.

i) In the event of the arrest of the applicant in Crime No.3120/2015 registered with Hadapsar Police Station, the applicant be released on furnishing bail bond of Rs.25,000/- (Rupees Twenty-five Thousand Only) with one surety in the like amount, to the satisfaction of the learned Additional Sessions Judge, Pune.

ii) The applicant shall report to the Investigating Officer, initially for a period of 7 days from 10 a.m. to 1 p.m., and thereafter as and when required by the Investigating Officer for the purpose of interrogation.

iii) The applicant shall not leave Pune District without prior permission of the Additional Sessions Judge, Pune.

(ANUJA PRABHUDESSAI, J.)