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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.780 OF 2016

Shankarsingh Govardhansingh Rajput	 Applicant
V/s.	
The State of Maharashtra	 Respondent

Mr. Amit a. Karande, for the Applicant.
Mr. Y. M. Nakhwa, APP for the Respondent State.

CORAM : A. M. BADAR, J.

DATE : 27th JUNE, 2016.

P.C. :

1. The applicant accused, in Crime No.58 of 2016, for the offence punishable under Section 5, 6, 9-B(1)(b) of the Explosives At, 1884, and u/s3(1) r/w 181, 130 and 175 of the Motor Vehicles Act and under Section 287 of the Indian Penal Code, registered at Mangalwedha Police Station, District: Solapur, by this application, is praying for pre-arrest bail.
2. Heard the learned counsel for applicant as well as learned APP for the State.
3. According to learned APP, from the statement of co-accused, it was found that the explosives were sold to them by the present

applicant and therefore, custody of the present applicant is required for further investigation.

4. The perusal of the F.I.R. dated 30.1.2016 reveals that a team of police raided the spot on the basis of prior information and found that some persons were digging well in Gunjegaon shivar, at that time two persons came on the motorcycle with bag containing gelatin and detonator. Obviously F.I.R. reveals that explosives were brought for digging well.

5. The allegation against present applicant is to the effect that he has sold the explosives to un-licensed person. Except the statement of co-accused, there is nothing on record to show that the explosives were so sold to the un-licensed person. It is seen that the present applicant is holding licence to possess, sell and transport gelatin and detonator etc.

6. In this view of the matter, the custodial interrogation of the present applicant is un-warranted and therefore the following order.

Order

- I) In the event of arrest of applicant, in above crime, he be released on bail on his executing P.R. Bond in the sum of Rs.15,000/- and on his furnishing surety in the like amount.
- II) The applicant shall not, directly or indirectly, make any inducement, threat or promise to any persons acquainted with the facts of the case so as to dissuade them from disclosing

such facts either to the Court or to any police officer.

III) The applicant shall attend the concerned police station on every Sunday in between 11.00 a.m. to 1.00 p.m. till filing of the chargesheet and shall co-operate the Investigating officer.

IV) The applicant shall not tamper with the prosecution evidence in any manner.

[A. M. BADAR, J.]