

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.340 OF 2019

Shamuwel Vilas Aiwale] ... Applicant

Versus

The State of Maharashtra] ... Respondent

Mr. Satyavrat Joshi, Advocate for the Applicant.

Mr. S.R. Agarkar, APP for the State/Respondent.

Mr. Digvijay Desai, PC 2042 attached to Hatkanangale Police Station present.

CORAM :- SARANG V. KOTWAL, J.

DATE :- 24 JUNE, 2019.

P. C. :-

1. The applicant is seeking anticipatory bail in connection with C.R.No.385/2018 registered with Hatkanangale Police Station, Kolhapur u/sec. 3 (1) and 25 of the Indian Arms Act.

2. The FIR is lodged on 26/11/2018 by the police constable Sanjay Phadtare. According to him, on prior information they accosted one person at around 2.30 p.m. on 26/11/2018 near Alte Cross Road. This person was searched and he was found to carry country made pistol with magazine and one live cartridge. His name was Sanjay

Salunkhe. He was arrested. He did not have any license to possess that fire arm. Therefore, the FIR was lodged.

3. On his interrogation, he informed the police that the said fire arm was given to him by one Jaydeep Aiwale. He was also accosted and he informed that he had brought this fire arm from the present applicant.

4. Heard Mr. Satyavrat Joshi, Ld. Counsel for the Applicant and Mr. S.R. Agarkar, APP for the State/Respondent.

5. By the order dated 02/04/2019 passed by this court (Coram : P.N. Deshmukh, J.), the applicant was granted interim protection and he was directed to attend the police station. He is interrogated. But from his interrogation no further useful information could be found to connect the present applicant with the alleged crime. The applicant was directed to attend the police station for four days and then as and when called. In spite of thorough interrogation, no useful information could be obtained by the investigating agency. Hence, at this stage, the investigating agency does not have any concrete material to

connect the present applicant with the alleged crime. In this view of the matter, the applicant deserves protection by anticipatory bail. Hence, the following order.

ORDER

1. In the event of his arrest in connection with C.R.No.385/2018 registered with Hatkanangale Police Station, Kolhapur the Applicant be released on bail on his executing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
2. Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)