

SAS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.355 OF 2019

Hiraman W.Chimne	..Applicant.
V/s.	
State of Maharashtra	..Respondent.

Mr.Kuldeep S.Patil for the applicant.

Mr.N.B.Patil, APP for the respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATE : FEBRUARY 8, 2019

P.C.:-

Heard learned counsel for the applicant and learned APP for the State.

2. In crime No.9/2019 for offence punishable under sections 353, 143, 144 and 152 of the Indian Penal Code, 3, 25, 7 and 27(2) of the Arms Act, section 37(1), 135 of the Bombay Police Act and section 65((E) of the Bombay Prohibition Act registered with Kamothe police station, District Raigad, the applicant is seeking pre-arrest bail.

3. The only allegation against the applicant is that he is

the owner of the house adjoining to which a vehicle was seized containing arms and liquor, was parked.

4. Learned APP submits that the custodial interrogation of the applicant is necessary to find out the intention, motive and whereabouts of the other accused. I hardly see any reason to deny protection to the applicant, particularly when there are no antecedents and no offence under section 34 of 149 of the Indian Penal Code are invoked against the applicant.

5. The F.I.R. speaks of only presence of the applicant on the spot where he is having his house.

6. That being so, case is made out for pre-arrest bail.
Hence the order :-

i) In the event of arrest in Crime No.9/2019 for offence punishable under sections 353, 143, 144 and 152 of the Indian Penal Code, 3, 25, 7 and 27(2) of the Arms Act, section 37(1), 135 of the Bombay Police Act and section 65((E) of the Bombay Prohibition Act registered with Kamothe police station, District Raigad the applicant be released on bail on his executing P.R. bond of Rs.25,000/- with one or more sureties in the like amount;

- ii) The applicant shall attend the Investigating officer on 11th, 14th, 20th and 26th of February, 2019 between 10.00 a.m. to 12.00 noon and thereafter as and when directed;
- iii) The applicant shall not influence the prosecution witnesses or tamper with the evidence;
- iv) The applicant shall co-operate with the investigating agency;
- v) The application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)