

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1234 OF 2019

Dhanaji Dattatraya Patil	]	... Applicant
Versus		
The State of Maharashtra	]	... Respondent

Mr. Yuvraj Narvankar, Advocate for the Applicant.
Mr. S.R. Agarkar, APP for the State/Respondent.

CORAM :- SARANG V. KOTWAL, J.
DATE :- 12 JUNE, 2019.

P. C. :-

1. The applicant is seeking anticipatory bail in connection with C.R.No.23/2019 registered with Gaganbavada Police Station, District Kolhapur u/sec. 3, 29 (c), 25 of the Indian Arms Act and under Section 135 of the Maharashtra Police Act.

2. The FIR is lodged by PSI Vilas Kubade on 29/03/2019. According to him, he was on patrolling duty and was going from Gaganbavada Chowk towards Lakhamapur dam. At that time, the first informant and others saw two persons walking together in the dense tree cover in the area. One of them was carrying a gun. Both of them were accosted. However, one of them escaped. The

prosecution case is that the person who ran away is the present applicant. The person who was caught on the spot was carrying a gun and cartridges. On this basis, the FIR was registered.

3. On perusal of FIR, it is clear that the gun was unauthorisedly carried by the main accused Pandurang Toraskar. The present applicant was accompanying him. Therefore, it is difficult to hold at this stage that any particular offence under the Indian Arms Act was committed by the present applicant. Therefore, anticipatory bail can be granted to him with certain conditions. Hence, the following order.

ORDER

1. In the event of his arrest in connection with C.R.No.23/2019 registered with Gaganbavada Police Station, District 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. The applicant is directed to attend the concerned police station every Sunday between 3.00 p.m. to 5.00 p.m. till filing of the charge-sheet.

3. The applicant shall co-operate with the investigation.
4. Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)