

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.472 OF 2022

Samadhan S/o Balasaheb Sangle

..Applicant

VERSUS

The State of Maharashtra

..Respondent

...
Advocate for Applicant : Mr.Kailas B. Shinde,
Mr.Shubham P. Gondkarpatil
APP for Respondent : Mr.S.B.Narwade
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE: 11th April, 2022

ORDER :-

1. The applicant is accused No.2 and came to be arrested on 14th February, 2022 in connection with Crime No.0060 of 2022, registered with Loni Police Station, District Ahmednagar, for the offence punishable under Sections 3, 7 read with Section 25 of the Indian Arms Act.

2. Heard learned Advocate for the applicant and learned APP for the respondent.

3. First Information Report (FIR) has been lodged by Manohar Sitaram Gosawi (Police Head Constable) of Local Crime Branch, Ahmednagar on 14th February, 2022. He has stated that Police Station has received secret information that one Rushikesh Balasaheb Ghare alongwith his companion would come to Hotel Janata on Manmad Road at Kolhar, Tq.Rahata, Dist.Ahmednagar for sale of two country-made Pistols and live cartridges. The Police team went to the said place and arranged a trap. Two persons were found coming towards Hotel Janta by walk and one of them was having a black sack and therefore, after confirming, the raid was conducted. The name of those two persons transpired as Rushikesh Balasaheb Ghare and Samadhan Balasaheb Sangale (present applicant). From the search of the person of Rushkesh Balasaheb Ghare, one country-made pistol was found tucked in belt of his pant and from the search of person of the present applicant, five country-made pistols and 12 live cartridges were found in back colour bag. Statements of witnesses have been recorded, who are almost the Police persons. It may give an impression that investigation is over and therefore, the custodial interrogation of the applicant is not necessary, however, we are also required to consider as to whether applicant's application can be considered on the basis of other criteria. It appears that the both the accused had mislead

the Police as regards from where they have fetched those arms. They took the investigating team to another State but nothing could be found. They have avoided to give answers as to from whom they had fetched those arms.

4. As regards applicant is concerned, there are criminal antecedents. He is involved in four crimes; three crimes are registered with Sangamner City/Taluka Police Station and one is registered with Shirdi Police Station and it can be seen that all those offences are from 2017 to 2021. Under such circumstance, there is evidence against the applicant. The investigation is still incomplete. He does not deserve to be released on bail. Hence, Bail Application stands rejected.

(SMT. VIBHA KANKANWADI)
JUDGE

SPT