

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.977 OF 2022

Rahul Lakhanlal Shahu **Versus** State of Maharashtra, thr. PSO., PS Pusad City, District Yavatmal.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms Vaishnavi Kamdi, h/f Shri G.M.Kubde, counsel for the applicant.
Shri T.A.Mirza, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : 17/08/2022

1. The applicant is seeking bail in connection with Crime No. 421 of 2022, registered with Police Station Officer, Police Station Pusad (City), District Yavatmal, for the offences punishable under Sections 3 and 25 of the Arms Act, 1959.
2. Learned counsel for the applicant submits that, in this case, maximum punishment would be three years and considering the nature of allegations, further custody of the applicant is not necessary.
3. It is submitted that, the applicant is handicap person and he has been falsely implicated in the alleged offence.
4. On the other hand, learned APP strongly opposed the present application and prays for rejection of the present application, as the investigation is going on.

5. I have perused the First Information Report.

6. In this case, Pistol (Katta) was recovered from the applicant and accordingly the offence came to be registered under Sections 3 and 25 of the Arms Act, 1959 for which the maximum punishment is of three years. There are no criminal antecedents to the discredit of the applicant.

7. Furthermore, the applicant is in jail for about one month. Thus, considering the nature of allegations and the maximum punishment coupled with the period of incarceration of the applicant, I am of the opinion that further custody of the applicant is not necessary. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in the event of arrest of the applicant in Crime No. 421 of 2022, registered with Police Station Pusad City, Tq. Pusad, District Yavatmal, for the offences punishable under Sections 3 and 25 of the Arms Act, 1959, the applicant shall be released on bail on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.
- c) The applicant shall attend the concerned Police Station on 1st and 16th day of each month between 10.00 a.m. to 12.00 noon, till the filing of charge-sheet.

- d) The applicant shall not tamper with the prosecution witnesses.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]