

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

CRIMINAL APPLICATION (ABA) NO.606 OF 2022

(GAURAV SINGH RAGHUWANSHI...VS.. STATE OF MAH. THR. PSO PS RAJAPETH, DIST.
AMRAVATI)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.R.Agrawal, Advocate for Applicant.
Ms K.R. Deshpande, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : SEPTEMBER 05, 2022.

1. Heard.
2. By this application under Section 438 of the Code of Criminal Procedure the applicant is seeking pre-arrest bail in Crime No.534 of 2022, registered with Police Station, Rajapeth, Amravati for the offences punishable under Sections 4, 25, 25(1-B)(g), 26 and 29 of the Arms Act, 1959.
3. The learned counsel for the applicant submits that on placement of an order by Laxmi Ganesh Communication about some decorative articles it was forwarded to the supplier and the supplier directly sent the consignment to Laxmi Ganesh Communication. He submits that the applicant was not knowing what are the decorative articles and therefore, he is not involved or connected with the alleged offence. It is submitted that there are no criminal antecedents to the discredit of the applicant.

4. Lastly, he submits that the swords have already been seized by the police along with relevant documents about supply and other related documents namely Tax Invoice etc. He, therefore, submits that since there is nothing to recover from the applicant, the custodial interrogation is not necessary.

5. On the other hand, the learned A.P.P. strongly opposed the application. He submits that Amravati is sensitive area and if the swords are seized worth Rs.1,45,000/- the offence is serious and therefore, this Court may not grant pre-arrest bail to the applicant.

6. I have perused the case diary and the F.I.R..

7. The Tax Invoice shows that the consignment was dispatched by Brand Castle from Haryana and it was received at Amravati by Laxmi Ganesh Communication. *Prima-facie*, it appears that the applicant is not connected with either the supply or to receive the consignment.

8. The swords involved in the present crime have already been seized. In that view of the matter, I am of the opinion that if the applicant is directed to attend the Police Station the purpose would be served. Hence, I pass the following order:

i) The application is **allowed**.

- ii) The order dated 18/08/2022, granting ad-interim bail to the applicant, is confirmed.
- iii) The applicant shall attend the concerned Police Station from 19/09/2022 to 22/09/2022 between 10:00 a.m. and 12:00 noon and thereafter as and when his presence is required.

The Criminal Application is **disposed of** accordingly.

JUDGE

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