

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
ANTICIPATORY BAIL APPLICATION NO. 711 OF 2023

Laxman @ Pappu Mohan Kshirsagar

Applicant

Versus

The State of Maharashtra & another

Respondents

Mr. M.L. Deoda, Advocate holding for Mr. N.D. Jaiswal, Advocate for the applicant.

Mr. G. O. Wattamwar, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 16th JUNE, 2023.

PER COURT :

1. Applicant apprehends arrest in connection with Crime No. 109/2023 registered with Naldurg Police Station, dist. Osmanabad, for the offences punishable under Sections 4 and 25 of Arms Act.

2. On 8th March, 2023 at 6.45 pm, offence came to be registered in respect of the incident occurred on 7th March, 2023 at around 7.00 pm wherein applicant was seen holding a sword and roaming in the village. When he noticed police vehicle, he ran away from the spot and in the process, the sword fell down. The sword was seized immediately.

3. Learned counsel for the applicant states that there is unexplained delay in lodging First Information Report which creates doubt about the genuineness of the complaint. He further states that nothing is to be recovered from the applicant and hence his custodial interrogation is not necessary.

4. Learned APP submits that the statement of the informant was recorded on 7th March, 2023 itself however, he is unable to explain as to why it took one day for registration of the offence. These facts are more than sufficient to show that this can be a possible false implication. This observation is inevitable in view of the fact that allegedly the applicant has committed the offence registered against him against public servant only.

5. In the circumstances, application is allowed in terms of interim order.

(R. M. JOSHI)
Judge