

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

939 BAIL APPLICATION NO.1755 OF 2023

HANUMAN JANKIRAM RAIMALE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mrs A.S. Lomte h/f S.J. Salunke
APP for Respondent : Mr. S.P. Deshmukh

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CORAM : S. G. CHAPALGAONKAR, J.
Dated: October 13, 2023

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PER COURT :-

1. The applicant seeks regular bail in connection with Crime No.247 of 2023 registered with Parbhani (Rural) police station, District Parbhani for the offences punishable under sections 3, 25 of the Arms Act, 1959.

2. The investigation was set in motion on the basis of the information given by Ajit Biradar, who is PI at Local Crime Branch, Parbhani. It states that on 11.9.2023 a secret information was received that accused had unauthorized Pistol with rounds. Accordingly, raid was arranged. The applicant was arrested. On his interrogation, he gave information regarding Pistol concealed at his home and accordingly that came to be seized under the seizure panchnama under section 165 of the Cr.P.C. Accordingly, offence came to be registered against the applicant. The applicant approached the Sessions Court seeking regular bail, however, his application came to be rejected vide order dated 21.9.2023.

3. Learned advocate appearing for the applicant would submit that the applicant has been falsely implicated in the aforesaid crime. Seizure of the pistol is already effected. Further, detention of the applicant would not be necessary. Alleged offences are punishable with imprisonment up to five years. Hence, applicant be released on bail.

4. Learned A.P.P. strongly opposes the prayer. He would submit that the applicant was nabbed by police based on secret information and immediately Pistol has been recovered from his house. He would further submit that there are criminal antecedents. Previously six offences were registered against the applicant and possibility of repeating similar offences cannot be ruled out.

5. Learned advocate appearing for the applicant submit that out of those six offences registered against the applicant, three cases have been ended in acquittal.

6. Considering the submissions advanced, it can be gathered that the applicant has been nabbed on the basis of the secret information. Pistol has been seized. Alleged offences are punishable u/s 3, 25 of the Arms Act. In view of the seizure of the pistol, the further detention of the applicant would not be necessary. Criminal antecedents against the applicant relied upon by the prosecution shows that last offence is registered in the year 2016 and there is no recurrence of similar offence. In that view of the matter, further detention of the applicant is

not necessary. Hence, case is made out for grant of bail.
Hence, the order.

ORDER

- i. Bail Application is hereby allowed.
- ii. The applicant - HANUMAN JANKIRAM RAIMALE be released on bail in connection with Crime No.247 of 2023 registered with Parbhani (Rural) police station, District Parbhani for the offences punishable under sections 3, 25 of the Arms Act, 1959 on his furnishing P.B. & S.B. of Rs.50,000/- (Rs.Fifty Thousand), on the following conditions :-
 - a] The applicant shall not tamper the prosecution evidence.
 - b] The applicant shall not indulge into any criminal activities.
 - c] The applicant shall attend the concerned police station once in a week i.e. on Monday between 10 am to 2 pm and shall cooperate with further investigation till filing of the charge-sheet.
 - d] The applicant shall not leave the State of Maharashtra without prior intimation to the concerned police station.
- iii. Bail application is accordingly disposed off.

(S.G. CHAPALGAONKAR J.)

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aaa/-