

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

CRIMINAL APPLICATION (ABA) NO.702/2022

Santosh s/o Sahebrao Pawar .vs. State of Maharashtra through its PSO P.S. Pusad,
Dist. Yavatmal.

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

Court's or Judge's orders

Mr. S. J. Parate, Advocate for applicant.

Mr. N. R. Rode, A.P.P. for non applicant-State.

CORAM : ANIL L. PANSARE, J.

DATE : JANUARY 10, 2023.

The applicant is apprehending arrest in Crime No.421/2022 registered with Police Station Pusad City, District Yavatmal for an offence punishable under Sections 3/25 of the Arms Act.

2. Briefly stated, case of the prosecution is that Police Sub Inspector of Crime Branch has received a secret information that one person namely Rahul Sahu, co-accused, who has been released under Section 439 of the Code of Criminal procedure and the present applicant were moving in white Renault Duster and were all set to sell country made pistol. The vehicle under question was intercepted by police along with panchas. However, only co-accused was found in the vehicle. A country made pistol was recovered from his person. The applicant's name came to be disclosed by the co-accused.

3. Thus, apart from the statement of the co-accused, there is no material against the applicant to show his complicity with the crime. Nothing is to be recovered at his

instance. Upon inquiry, learned counsel for applicant submits that there are no criminal antecedents against the applicant. He resides in his own house and has deep roots in the society. If that be so, anticipatory bail could be granted to the applicant with certain conditions.

4. Hence, following order is passed.

ORDER

- (i) The application is allowed.
- (ii) Applicant-Santosh s/o Sahebrao Pawar, be released on bail, in connection with Crime No.421/2022 registered with Police Station Pusad City, District Yavatmal for an offence punishable under Sections 3/25 of the Arms Act, on he furnishing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant shall attend Police Station, Pusad City, District Yavatmal on every Wednesday between 03:00 to 05:00 p.m., till filing of the charge-sheet.
- (iv) The applicant shall co-operate with the investigation and make himself available for interrogation, whenever required.
- (v) The applicant shall, at the time of execution of bond, furnish his address and telephone/mobile number(s) to the Investigating Officer and to the Court concerned and shall not change the residence till the final disposal of the case.
- (vi) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted

with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or any Police Officer.

(vii) The applicant shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the Police.

(viii) The applicant shall maintain law and order.

(ix) The applicant shall regularly attend the court and co-operate the learned trial court to complete the trial for the above offence.

(x) In case of breach of any conditions, the learned trial court is at liberty to cancel the bail after giving opportunity of hearing to both the sides.

The application is disposed of.

(Anil L. Pansare, J.)

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