



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1067 OF 2024

NITIN BAPU SONAWANE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr. Joydeep Chatterji, Advocate for the applicant
Mr. P. K. Lakhotiya, APP for the respondent/State

CORAM : R. M. JOSHI, J.

DATE : 1st OCTOBER, 2024

PER COURT :-

1. Applicant apprehends arrest in connection with Crime No. 91/2024, registered with Dhadgaon Police Station, Dist. Nandurbar for the offence punishable under Section 286 of IPC and Section 4(b)(i) of the Explosive Substance Act.

2. On 03/05/2024 at about 9.00 a.m. two persons were intercepted by the police and it was found they were carrying explosives. When enquiry was made with them it was found that explosives were purchased from present applicant. As such, applicant apprehends arrest.

3. Learned counsel for the applicant submits that except for the statement of the co-accused there is absolutely no evidence to connect him with this crime and for want of custodial interrogation, application be allowed.

4. Learned APP opposed the application by referring to the first information report as well as the report submitted by the Investigating

Agency while opposing the application for anticipatory bail before the Addl. Sessions Judge.

5. Even if the contentions of the informant are accepted, except for the statement of co-accused there is no evidence to connect the applicant with this crime. It is not the case of the prosecution that custodial interrogation of applicant is necessary for recovery. Hence, application is allowed in following terms:

ORDER

- (i) In the event of arrest of applicant in connection with Crime No. 91/2024, registered with Dhadgaon Police Station, Dist. Nandurbar for the offence punishable under Section 286 of IPC and Section 4(b)(i) of the Explosive Substance Act, he shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount.
- (ii) He shall attend the concerned police station once in a week.
- (iii) He shall not contact the witnesses directly or indirectly.
- (iv) He shall not interfere with the evidence in any manner whatsoever.
- (v) He is further directed to cooperate the investigating agency for further investigation.
- (vi) Learned APP to communicate this order forthwith to concerned police station.

(R. M. JOSHI, J.)

ssp