



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

44 ANTICIPATORY BAIL APPLICATION NO. 1957 OF 2024

Dipak Namdeo Sawant (Koli)

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Harshal Prakash Randhir

APP for Respondents-State: Mr. S.B. Pulkundwar

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CORAM : ARUN R. PEDNEKER, J.

Dated : December 02, 2024.

PER COURT :-

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is apprehending arrest in connection with FIR No.354/2024, dated 18/09/2024, registered at Dharangaon Police Station, Dharangaon, District Jalgaon, for the offences punishable under sections 132, 110, 112, 189(2), 189(4), 190 of Bhartiya Nyaya Sanhita, 2023, read with Section 25/3 of Arms Act.
3. The learned Counsel for the applicant submits that the allegations against the applicant/accused, which state that he was transporting a pillion rider who fired in the air with a pistol, are unfounded, as he had no connection whatsoever with the crime.
4. The learned APP points out that a similar offence has been registered against the applicant/accused under the Arms Act. As such, it

cannot be *prima facie* said that he was merely a person giving a lift to the co-accused. Custodial interrogation is necessary, as the offence is of a very serious nature.

5. The learned Counsel for the applicant submits that co-accused No. 1 to 6 have been granted anticipatory bail, while co-accused No. 8 has been granted regular bail.

6. However, the applicant is *prima facie* involved in the crime, and custodial investigation of the applicant/accused is necessary. Therefore, this would not be a fit case for the grant of anticipatory bail.

7. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8. In view of the above, the application is dismissed.

(ARUN R. PEDNEKER, J.)

vj gawade/-.