



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

**CRIMINAL APPLICATION (BA) NO. 385 OF 2024**

Bhupesh @ Banti s/o Gulabsingh Parmar V/s State of Maharashtra

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

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Court's or Judge's Order

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Mr. C.R. Thakur, counsel for the applicant.  
Mr. Nitin Autkar, APP for the non-applicant/State.

**CORAM : URMILA JOSHI-PHALKE, J.**  
**DATED : 30/04/2024.**

1. The applicant came to be arrested on 17/03/2024, in connection with Crime No. 155/2024 registered with Police Station Khaparkheda, District Nagpur for the offence punishable under Sections 3/25 and 5/25 of the Indian Arms Act, 1959 and under Section 135 of the Maharashtra Police Act, 1951.

2. Learned counsel for the applicant submitted that as per the case of the prosecution, on 17/03/2024 the police have received secrete information that the accused was proceeding from the Bhavans School, Khaparkheda with intention of committing some intervening crime with an Iron Desi Katta Magazine, and accordingly, he was intercepted and the weapon was seized from him. On the basis of the said report, police have registered the crime.

3. Learned counsel for the applicant submitted that as far as the allegations are concerned, are only to the extent that he possessed the weapon, in contravention of the provisions of

the Arms Act. The said weapon is now already recovered, further incarceration of the present applicant is not required and he be released on bail.

4. Learned APP strongly opposed the said application on the ground that if the applicant is released on bail, there is apprehension that he may be involved in similar types of offence and prays for rejection of the application.

5. After hearing both the sides and on perusal of the recitals of the FIR, admittedly, the weapon which was in possession of the present applicant is already seized. Now, further incarceration of the present applicant is not required. There are no criminal antecedents against the present applicant. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

### ORDER

- (a) The application is **allowed**.
- (b) The applicant – **Bhupesh @ Banti s/o Gulabsingh Parmar** shall be released on bail, in connection with Crime No. 155/2024 registered with Police Station Khaparkheda, District Nagpur for the offence punishable under Sections 3/25 and 5/25 of the Indian Arms Act, 1959 and under Section 135 of the Maharashtra Police Act, 1951, on executing PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

- (c) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

The application is **disposed of**.

**[URMILA JOSHI-PHALKE, J.]**