



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.618 OF 2024

(Ajay s/o Faujdarsingh Yadav Vs. State of Maharashtra)

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

Court's or Judge's Order

Mr.N.A. Chawhan, Advocate for the applicant.
Mr. C.A. Lokhande, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- SEPTEMBER 6, 2024.

Heard.

2. By this application, the applicant is seeking pre-arrest bail in connection with Crime No.196/2024 registered at police station Durgapur, District Chandrapur for the offence punishable under Sections 4 and 25 of the Arms Act, 1959 and Section 65(e) of the Maharashtra Prohibition Act, 1949.

3. The applicant is apprehending arrest at the hands of police as crime is registered on the basis of report lodged by Lata Wadhive on an allegation that the raid was conducted in view of the information received by the Superintendent of Police, Chandrapur that some persons are dealing with the illicit liquor business. In view of that, the raid was conducted at the house of the present applicant and during the raid the stock of illicit liquor as well as one sword was recovered from his house. On the basis of said report, police have registered the crime against the present applicant.

4. He submitted that as far as the stock of illicit liquor is concerned which is already recovered and the sword is also recovered, therefore, the custodial interrogation of the present applicant is not required. In view of that, he be protected by granting anticipatory bail.

5. Learned APP strongly opposed the application and submitted that there are criminal antecedents against the present applicant as previous crimes are registered vide Crime Nos.01/2013 and 39/2010 and the involvement previously of the present applicant was in a serious offences like attempt to commit murder as well as offence of sexual assault on a woman. Thus, considering the criminal antecedents as well as considering the fact that the deadly weapon like sword is recovered from the house of the present applicant. This is not a case wherein the applicant can be protected by granting anticipatory bail.

6. I have heard for both sides and perused the recitals of the FIR as well as the investigation papers from which it reveals that not only the illicit liquor but the weapon like sword in contravention of Section 4 was recovered from the house of the present applicant. Though applicant is acquitted from the old offences which are registered against him but considering the fact that the stock of illicit liquor along with the deadly weapon recovered from the house of the present applicant which is

a serious act on the part of the present applicant. Considering the same, the application deserves to be rejected.

7. Hence, the application is rejected accordingly.

(URMILA JOSHI-PHALKE, J.)

**Divya*