



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 352 OF 2025

Vijay Bhaskar Khandare,
Age : 23 years, Occu. : Labour,
R/o. Samga, Tq. & Dist. Hingoli.

... Applicant

Versus

1. The State of Maharashtra,
Through Officer In charge,
Police Station Loha,
Dist. Nanded.

2. The Superintendent of Police,
Nanded, Dist. Nanded.

... Respondents.

.....
Mr. S. E. Shekade, Advocate for Applicant.
Mr. C. V. Bhadane, APP for Respondents - State.

.....

CORAM : ABHAY S. WAGHWASE, J.

DATED : 18th MARCH 2025

ORDER :

1. Applicant seeks regular bail on account of his arrest in Crime No.0012 of 2025 registered at Loha Police Station, District Nanded for the offences punishable under sections 3/25 and 7/25 of the Arms Act.

2. Learned counsel for applicant submitted that, applicant is arrested in above crime on 10.01.2025. That, he was merely in the company of another accused. That, there are allegation that present

applicant allegedly purchased pistol. Except such allegation, there are no other allegations. That, there is no allegation of use of arms. That, recovery is already effected. That, charge sheet is filed in March itself and therefore when nothing further is shown to be recovered or discovered, learned counsel seeks grant of bail on any condition imposed by this court.

3. Learned APP opposed on the ground that unauthorized arms were found in his possession and he expresses apprehension of misuse of the liberty.

4. After hearing both sides and on going through the report dated 09.01.2025, it is emerging that, FIR is at the instance of one Police Officer. He has reported that, on 09.01.2025, they were conducting search of one Alam Gabaru Shaikh i.e. absconding accused on information received from Police Station Nanded Gramin. He claimed to have received secret information and therefore trap was led. At that time, around 21:30 hours Alam Gabaru Shaikh was found in the company of one man at Loha Palam Road. When accused alam Gabaru Shaikh was searched, one pistol, one Magazine with one live cartridge were found in his possession. The person accompanying him gave his name as Vijay Bhaskar Kandhare i.e. present applicant. On above report crime was registered.

5. Considering the above submissions, contents of FIR and when seizure is already effected and further when charge sheet is reported to be filed, no purpose would be served by further detention as there are no immediate prospects of matter going for trial. Hence, the following order is passed :-

ORDER

- I. The application is allowed.
- II. Applicant Vijay Bhaskar Khandare be released on bail in connection with Crime No.0012 of 2025 registered with Loha Police Station, District Nanded, on executing Personal Bond of Rs.15,000/- with one surety in the like amount, on the following conditions:
- [a] The applicant shall not tamper prosecution evidence.
- [b] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.
- [c] The applicant shall regularly attend each and every effective date before the trial court.

(ABHAY S. WAGHWASE, J.)