



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

938 ANTICIPATORY BAIL APPLICATION NO. 800 OF 2025

Muzammil Harun Bagwan

VERSUS

The State Of Maharashtra And Another

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Mr. Joydeep Chatterji - Advocate for Applicant

Mr. S. K. Shirse - APP for State

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CORAM : NEERAJ P. DHOTE, J.

DATED : 18TH SEPTEMBER, 2025

PER COURT : -

1. Heard the learned Advocate for the Applicant and the learned APP for the State. Perused the record.
2. Crime No. 0158 of 2025 came to be registered with Shirdi Police Station, District Ahilyanagar, for offences punishable under Sections 3, 7 and 25 of the Indian Arms Act, 1959. The case of the Prosecution is that, the Co-accused was intercepted on 14.02.2025, and one country-made pistole was found in his possession. The Co-accused disclosed that the same was received from the Applicant. Therefore, apprehending arrest in the above referred Crime, the Applicant has approached this Court by filing the present Application.
3. As far as five Criminal Cases registered against the Applicant are concerned, as per the Police Report filed in Criminal Bail Application No. 72 of 2025 before the learned Additional Sessions Judge, Rahata, the copies of the Judgments placed on record indicate that out of the total five [5] cases, the Applicant has been acquitted in

four [4] cases. The learned Advocate for the Applicant relied upon the Judgment dated 29th September, 2021, passed in Criminal Appeal No. 380 of 2020, wherein, on considering Sections 7 and 2(h) (i), the Court observed that, a country-made pistol hardly satisfies the description of prohibited arms. If Section 7 goes out of the picture, the maximum punishment for Section 3 is five [5] years' imprisonment. Be that as it may, the Co-accused, in whose possession the country-made pistol was found, was arrested and has been released on bail by order dated 18.06.2025, passed in Bail Application No. 956 of 2025. The only material against the present Applicant is the statement of the Co-accused. The Applicant was protected by this Court vide order dated 29.07.2025, passed in the present Application, on certain conditions. It is nobody's case that the Applicant has flouted any of the conditions imposed vide the aforementioned order. In this view of the matter, I am inclined to confirm the interim interim order referred to above and hence, the following order.

ORDER

- [i]** The interim protection granted to the Applicant vide order dated 29th July, 2025, is confirmed.
- [ii]** The Application stands disposed off.

[NEERAJ P. DHOTE]
JUDGE

SG Punde