



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

ANTICIPATORY BAIL APPLICATION NO.948 OF 2025

Girish S/o. Devidas Tayade,
Age: 42 years, Occu.: Business,
R/o. Near Buddha Mandir, Khadka,
Tq. Bhusawal, Dist. Jalgaon.

.... Applicants

Versus

The State of Mahatashtra
Through: Police Inspector of
Bhusawal Bazar Peth Pllice, Station,
Tq. Bhusawal, Dist. Jalgaon.

.... Respondent

.....
Mr. A.L. Kanade, Advocate for Applicant
Mr. S.B. Narwade, APP for Respondent – State

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 20 AUGUST, 2025

PRONOUNCED ON : 21 AUGUST, 2025

ORDER :

1. This pre-arrest bail application on account of Crime No.0501 of 2023, registered with Bazar Peth Police Station, Bhusawal, District Jalgaon, for offences punishable under Section 37(1) and 135 of the Maharashtra Police and under Sections 3/25 and 4/25 of the Arms Act.

2. Learned counsel would submit that there is false implication. That, the applicant is involved in an offence under Section 379 of the

IPC. That, the police claim that four persons were chased, out of them three were apprehended. That, those three allegedly disclosed the name of the present applicant, and therefore, applicant is shown to be wanted accused. That, the applicant is not involved in any such offence. That, whatever seizure was required has already been effected from the vehicle. That, the said vehicle is also seized. It is further submitted that similar attempt of implication of applicant was made in another crime bearing No. 430 of 2023, in which the applicant had applied for anticipatory bail and the learned trial Court was pleased to grant the same by order dated 06.05.2025. That, copy of the same is placed on record. Lastly, it is submitted that no further recovery or discovery is to be made, and as the applicant is ready to cooperate with the investigation, the relief of anticipatory bail is urged for.

3. Learned APP strongly opposed the application on the grounds that the applicant is a habitual offender and thus a wanted accused. It is submitted that on 15.10.2023, secret information was received that the present applicant, along with his associates, was traveling in a Scorpio vehicle, and therefore, trap was laid. That, seeing the police, four persons, including the present applicant, fled and were given chase. That, three of the accused were apprehended; however, the applicant managed to escape. That, the arrested accused have named the present

applicant. That, the arrested persons were found in possession of country-made revolver, weapons like koyta. It is further submitted that proceedings against the applicant under Section 299 of the Cr.P.C. are to be initiated. Learned APP has also placed on record the copies of the CDR and other police papers. For above reasons, application is sought to be rejected.

4. Heard. Perused the FIR, which is at the instance of police official. The substance of the FIR is that during a combing operation, information was received that the accused in Crime No. 430 of 2023, along with his associates, is coming to Khadka Chowfuley, and therefore, trap was accordingly laid. However, seeing the police, four persons in the Scorpio managed to flee and were chased. Three of them were apprehended, but the present applicant managed to escape. The report is resulting into the crime No.501 of 2023. It is reported that during the apprehension of the three accused and the search of the Scorpio vehicle, country-made revolvers and cartridges were found. It is reported that, the apprehended accused told police that the present applicant was driving the Scorpio vehicle and had escaped. Hence, the above crime has been registered for above offences.

5. Learned counsel has placed on record a copy of the bail granted in Crime No. 430 of 2023, and trial Court seems to have allowed the said application. However, subsequently, on 15.10.2023, a new crime bearing No. 0501 was registered for offences under Sections 2/25 and 4/25 of the Arms Act and under Sections 37(1) and 135 of the Maharashtra Police Act. The Learned Trial Court has already rejected the applicant's anticipatory bail application in the present case by order dated 13.05.2025. The charge-sheet shows that proceeding under Section 299 of the Criminal Procedure is initiated. For the above reasons, this Court does not find it a fit case for the grant of bail.

ORDER

Anticipatory Bail Application is rejected.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane