



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 873 OF 2025

Akshay Ravindra Gadekar
VERSUS
The State Of Maharashtra

- Mr. A. B. Pakhe, Advocate for the Applicant
- Mrs. M. L. Sangit, APP for the Respondent/State

CORAM : ADVAIT M. SETHNA, J
DATE : 30 JUNE 2025

P.C.:

1. The Applicant in this Anticipatory Bail Application apprehends arrest. The present proceedings relates to C.R. No. 05/2024 dated 03 January 2024 lodged at 16.52 hours under Sections 3 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act, 1951 with Begampura Police Station, Dist. Aurangabad.

2. The FIR is lodged on the basis of a report of Informant – Sandip Gopalrao Rashinkar, age 35 years. A perusal of the FIR would reveal that on the date of the alleged incident i.e., 03 January 2024, a pistol along with cartridge/bullets were recovered from co-accused Rahul Arun Jire. Such alleged ammunition/weapon was allegedly supplied by the present Applicant as stated

by the co-accused in his statement recorded during investigation. There is no role in any manner whatsoever attributed to the present Applicant in the FIR and/or in the record available before the Court. The Applicant undertakes that he would fully cooperate with the investigation. At this juncture, it is submitted that the alleged weapon i.e., pistol and the cartridge/bullet have also been recovered. No further recovery is to be effected.

3. Mrs. Sangit, learned APP, would strongly oppose the anticipatory bail application. According to her, sections invoked in the FIR clearly make carrying of such weapons an offence are provided under those provisions. Though she would not dispute regarding the recovery of alleged ammunition/weapon, she would urge that for proper investigation custodial interrogation of the Applicant is warranted and hence, the ABA ought to be rejected.

4. Heard the learned Advocates for the parties and perused the record with their assistance. It appears that the fire arm pistol and cartridge were recovered from the co-accused, were allegedly supplied

by the present Applicant. Apart from this, there is no role attributable to the Applicant in the FIR. For such reasons, it *prima facie* appears that the alleged offences under the provisions in the FIR are not coming forth *qua* the Applicant at this stage. The Applicant undertakes to cooperate with the investigation. In such factual complexion, it is not a fit case to warrant custodial interrogation of the Applicant, who is 23 years of age and is a student. The Anticipatory Bail Application of the Applicant deserves to be allowed by passing following order, which in my view, meet ends of justice.

O R D E R

- (i) In the event of arrest of the applicant in connection with C.R. No. 0005/2024 registered with Begampura Police Station, Dist. Aurangabad for the offences punishable under Sections 3 & 25 of the Arms Act and Section 135 of the Maharashtra Police Act, 1951, the applicant is directed to be released on bail on their furnishing PR bond in the sum of Rs. 20,000 (Rupees Twenty Thousand Only) with one or more sureties in the like amount.
- (ii) The Applicant shall cooperate with the investigation and shall attend the concerned police station on every Saturday at 11.30 a.m., until filing of charge-sheet.
- (iii) The Applicant shall furnish details of

residential address and other contact details such as mobile number etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately intimated to the concerned police station.

(iv) The Applicant shall not leave the jurisdiction of the Court without prior permission/order of the Court, until further orders.

(v) The Applicant shall not influence the witness/es and/or tamper evidence in any manner whatsoever.

5. The Anticipatory Bail Application is allowed in above terms.

6. Needless to mention that the above observations are for adjudicating this application.

(ADVAIT M. SETHNA, J.)