



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.119 OF 2025

Abdul Mannan Mohd. Rahman

Vs.

The State of Maharashtra, through Police Station Officer, Police Station,
Kondhali District Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.D. Chande, Counsel h/f Ms Sunita S. Kulkarni, Counsel for the applicant.
Ms Ritu Sharm, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED :12/03/2025

1. Heard.
2. By this application the applicant is seeking for grant of bail as he came to be arrested on 01/08/2023 in connection with Crime No.580/2023 registered with Police Station, Kondhali District Nagpur Gramin for the offences punishable under Sections 302, 201, 120-B and 404 of the Indian Penal Code (for short, 'I.P.C.') read with Section 3/25 and 7/25 of the Arms Act.
3. Heard learned counsel for the applicant who submitted that from the allegations it appears that FIR is lodged by Assistant Police Inspector Raju Ramrao Raut alleging that during investigation wife of deceased Niralakumar Singh has lodged missing

report stating that her husband had left the house to attend a meeting on 25.07.2023 and did not return back. During enquiry of the said missing report, they received information that both the deceased and co-accused Vishal Punj and Omkar Talmale are proceeding by i10 Car towards Rana Dhaba. At the same time, another missing report was also enquired and during investigation it revealed that other co-accused took deceased Niralakumar Singh and Amrish Gole and eliminated them. As far as present applicant is concerned, it is alleged that he has supplied firearm to co-accused i.e. Omkar Talmale. On the basis of the said, the accused is arrested by taking his custody by way of production warrant as he was behind the bar in crime No.563/2023.

4. Learned Counsel for the applicant submitted that as far as the presence of the applicant at the time of the incident, he is not there. Only allegation against him is that he was in communication with other co-accused Omkar Talmale and the said Omkar has obtained firearm from the present applicant. In fact at the relevant time when the present crime was committed the applicant was behind the bar. Thus, mere supplying of the gun is not sufficient to prove that the applicant was share the common intention with the co-accused. Now investigation is already completed. Charge-sheet is already filed. His further incarceration is not required. He be released on bail.

5. Learned APP for the State strongly opposes the application and invited my attention towards the memorandum statement of the present applicant as well as memorandum statements of co-accused and statement of Dipak Mansure which show the involvement of the present applicant in the alleged offence and prays for rejection of the application.

6. After hearing both the sides and on perusal of investigation papers, it reveals from the statement of Dipak Mansure that the amount of Rs.2500/- was given to the present applicant by him as co-accused Omkar Talmale has deposited the said amount in his account and present applicant used to supply the firearm. The CDR and SDR reports also show that there was communication between the present applicant and other co-accused. Thus limited role is attributed to the present applicant as to the providing of the firearm. Admittedly at the time of the incident the present applicant is behind bar in another crime No.563/2023. Thus, when the alleged incident has taken place he was not there. Thus considering the fact and limited role attributed to the present applicant, the applicant is made out the case for grant of bail. Admittedly there are criminal antecedents against the present applicant but that itself is not sufficient to reject the application of the

present applicant. Therefore, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The applicant **Abdul Mannan Mohd. Rahman** shall be released on bail in connection with Crime No.580/2023 registered with Police Station, Kondhali District Nagpur Gramin for the offences punishable under Sections 302, 201, 120-B and 404 of the Indian Penal Code (for short, 'I.P.C.') read with Section 3/25 and 7/25 of the Arms Act on executing PR bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one solvent surety in the like amount.

(iii) The applicant shall furnish local surety for the satisfaction of the Court.

(iv) The applicant shall attend Kondhali Police Station, Nagpur twice in a month on 1st and 15th of the every month and the police station officer shall record his presence.

(v) The applicant shall not directly or indirectly make any inducement and threat or promise to any person acquainted with the facts of the present case.

(vi) The applicant shall attend the proceeding before the Sessions Court without seeking any exemption unless there are exceptional circumstances.

(vii) The applicant shall not indulge himself in the similar types of criminal activities.

(viii) The applicant shall furnish his cell phone number and names of his two relatives along with their address and address proof before the Sessions Court.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)