



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.170 OF 2025
(Sikandarsing s/o Bharatsing Chavhan Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.S. Thotange, Advocate for the applicant.
Mr. A.M. Ghogare, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 28, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.14/2025 registered with Police Station Hiwarkhed, District Akola for the offence punishable under Section 3 read with Section 25 of the Arms Act, 1959, the applicants approached this Court for grant of bail in the event of their arrest.

2. The crime is registered on the basis of report lodged by Police Officer Gopal Pandurang Gilpile on an allegation that when he was on patrolling duty he has received a secret information that driver of the private bus who was in possession of the country made pistol. Upon receiving the said secret information, he intercepted the said bus and the driver of the bus has disclosed his name as Sheikh Sharif Sheikh Majid. After following the due procedure, personal search of the said driver was conducted and he was found in possession of country made pistol and four live cartridge. During investigation it

revealed that he has procured the same from the present applicant. On the basis of the said investigation, the present applicant was arraigned as an accused.

3. Learned Counsel for the applicant submitted that as far as the involvement of the present applicant is concerned which is only on the basis of the statement of the co-accused. Now, his mobile phone is also seized. His custodial interrogation is not required. In view of that, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the application and submitted that during investigation the involvement of the present applicant reveals as he has supplied the said country made pistol and the live cartridge to the co-accused, and therefore, his custodial interrogation is required to ascertain from which place he has procured the same. Hence, the application deserves to be rejected.

5. I have heard learned Counsel for both the sides and on perusal of the investigation papers it reveals that it was the present applicant who has supplied the said pistol and live cartridge to the other co-accused. As far as his custodial interrogation is concerned which is one of the consideration but considering the role attributed to the present applicant that he has sold the said country made pistol to the other co-accused who is a driver of a private bus and his custodial interrogation is required to ascertain

from which place he has procured the same. Moreover, the case diary further disclosed that the applicant was absconding since the date of the registration of the offence. Considering all these aspects, the application deserves to be rejected.

6. Hence, the application is rejected accordingly.

(URMILA JOSHI-PHALKE, J.)

**Divya*