



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

CRIMINAL APPLICATION (ABA) NO.564 OF 2025

Shubham @ Zabbu s/o Devendra Katakwar
Vs.

State of Maharashtra, through Police Station Officer, Lakhni,
District Bhandara

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

Court's or Judge's orders

Mr. K. S. Motwani, Counsel for the applicant through video conferencing.
Mr. V. A. Thakare, APP or non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 07/08/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.155/2025 registered with Police Station Lakhni, District Bhandara for the offence punishable under Sections 7, 3, 27, 25(1B)(a), 25(1)(a) and 25 of the Indian Arms Act, 1959 and under Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 142 of the Maharashtra Police Act, 1951, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of secret information received by the investigating agency on 30.04.2025 on an allegation that four wheeler Maruti Suzuki Ciaz bearing No. MH-31.-EU-1678, which is proceeding and carrying country-made

revolver and cartridge in the said vehicle, at that time, the said vehicle was intercepted and four accused persons in the vehicle were taken into custody, from them, the firearms were seized. During interrogation with them, the name of the present applicant was revealed.

3. Heard learned Counsel for the applicant, who submitted that except the statement of the other accused, there is no other material to connect the present applicant with the alleged incident and therefore, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application and submitted that there are seven offences registered against the present applicant of a similar nature. The applicant has suppressed the fact that he is facing the trial under the provisions of the MCOC Act. In view of that, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it is true that the criminal antecedents are not sufficient to reject the application of the present applicant, but the criminal antecedents are to be mentioned by the applicant in the application. As far as the present applicant is concerned, it is only one criminal antecedent is mentioned in the application. In fact, there are seven

criminal cases are registered against him and one case vide Crime No.11/2021 invoking the provisions under the MCOC Act, is also not mentioned in the application. On that ground itself, the application deserves to be rejected, as the applicant has suppressed the material facts from the Court, and therefore, this Court is not inclined to exercise the jurisdiction in favour of the present applicant by granting anticipatory bail. In view of that, I proceed to pass following order:

ORDER

The application is rejected.

(URMILA JOSHI-PHALKE, J.)