IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 976 OF 2026

Prasad Prabhakar Kubal ...Applicant

VERSUS

The State Of Maharashtr And Anr ...Respondents

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Adv. Sanjana Desai a/w Adv. Advait Vajaratkar i/b Adv. Sangram Desai, for Applicant.
Ms. Ashvini A. Takalkar, learned APP for the Respondents-State.
Mr. D. B. Palkar (PSI), Banda Police Station, Sindhudurg, present.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 27th OCTOBER, 2026.

P.C. :

Heard.

2. By this application, the applicant is seeking regular bail in connection with Crime No.096 of 2026, registered with Banda Police Station, District Sindhudurg, for the offences punishable under Sections 3, 5, 25(1)(a), 25(1)(b) of the Arms Act, 1959 and Sections 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. It is alleged that, when a house search was conducted at the place of the co-accused, Jayendra Anil Sawant, a country-made single-barrel gun along with 9 live cartridges was seized, which was

unaccounted for. The applicant is implicated on the basis of the statement of the co-accused.

4. I have considered rival submissions of the parties. The learned APP has produced relevant documents of investigation on record to show involvement of the applicant.

5. The First Information Report does not spell out presence of the applicant at the relevant time or any role attributed to him. His involvement is revealed due to the statement of the co-accused, which is not inculpatory. *Prima facie*, there is no direct material connecting the applicant to the offence or any collusion amongst the accused persons.

6. The recovery is not at the instance of the applicant. There are no criminal antecedents against him. Applicant is entitled to get benefit of the law laid down by the Hon'ble Apex Court in the case of ***P. Krishna Mohan Reddy Versus The State of Andhra Pradesh***[1]. My attention is also adverted to order dated 22.10.2026 passed in Criminal Bail Application No.931 of 2026 which is similarly circumstanced. The applicant, who has been granted relief by this Court. I find that the case is made out to grant relief. Hence, I pass the following order :

::ORDER::

(i) Bail Application is allowed.

(ii) The applicant shall be released on bail in Crime No.096 of 2026,

1 **2025 Supreme (SC) 865.**

registered with Banda Police Station, District Sindhudurg, for the offences punishable under Sections 3, 5, 25(1)(a), 25(1)(b) of the Arms Act, 1959 and Sections 3(5) of the Bhartiya Nyaya Sanhita, 2023 on furnishing P. R. bond of Rs.25,000/- with one or more solvent sureties of like amount on the following conditions:

(a) The applicant shall not tamper with the prosecution evidence and contact the prosecution witnesses.

(b) The applicant shall furnish contact numbers of himself and his close relative / friend to the Investigating Officer.

(c) The applicant shall surrender his Aadhar Card and PAN Card to the Investigating Officer, if any.

(d) The applicant shall attend the concerned Police Station on every Saturday between 10.00 a.m. to 2.00 p.m. till filing of the Charge-Sheet.

(e) The applicant shall co-operate for expeditious disposal of the trial and attend the dates punctually.

(iii) Bail application is disposed of accordingly.

[SHAILESH P. BRAHME, J.]