

N.S.Kamble

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 3031 OF 2024

Nitin Kisan Mane ...Applicant

VERSUS

State Of Maharashtra ...Respondent

Ms.Subhu Agarwal, for the Applicant.

Mr.P.P. Jahdavi, APP for Respondent-State.

Mr.Ganesh Musle, PSI, Dighi Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th JUNE 2026

P.C. :

1. The Applicant is apprehending arrest, in connection with investigation of Crime No.442 of 2024 registered with Dighi Police Station, Pune, for the offences punishable under Sections 3,7, 25 and 35 of the Arms Act and under Section 37(1)(135) of the Maharashtra Police Act.

2. It is prosecution's case that, witness Shubham Saste found one bag in the dickey of activa scooter of the Applicant and in the said bag, live cartridges were found along with one leave and license document registered in the name of the wife of the Applicant.

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3. It is contention of learned counsel for the Applicant that, except the statement of witness Shubham Saste, nothing is produced in charge-sheet to show the involvement of the Applicant in the crime. The Applicant is on interim relief for two years. He is co-operating in the investigation. The investigation is almost completed and requested to allow the Application.

4. It is contention of learned APP that live cartridges were found in the bag kept in the dicky of activa scooter belonging to the Applicant. There is no reason for witness Shubham to depose against the Applicant. Live cartridges belonged to the ammunition factory at Khadki, where the Applicant was employed along with other accused. The custodial interrogation of the Applicant is required and requested to reject the Application.

5. I have heard both learned counsel. Perused charge-sheet and documents produced on record.

6. The Applicant is on interim relief for two years. He has co-operated with the investigation. The investigation is completed. Except statement of Shubham Saste, there is no other evidence against the Applicant.

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7. Considering these facts his custodial interrogation is not required and I pass following order.

ORDER

- (i) The Application is allowed.
- (ii) The order dated 21st October 2024 is made absolute subject to condition that the Applicant shall continue to co-operate with the Investigating Agency as and when required, the Applicant shall not tamper with the prosecution evidence/witnesses.
- (iii) The Application is disposed of.

(SHIVKUMAR DIGE, J.)