



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

Criminal Application (BA) No.180/2026

Namal Singh Bhatia V State of Maharashtra thr PSO PS Sonala, Taq. Sangrampur, District
Buldhana

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

Court's or Judge's orders

Mr. N.S. Padia, Advocate for applicant.
Mr Madiwale, APP for State.

CORAM : M. M. Nerlikar, J.

DATE : 25-02-2026.

Heard learned Counsel for the applicant and learned APP for the state.

2. By this application under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 (for short, B.N.S.S. Act'), the applicant is seeking bail in connection with Crime No.0270/2025 registered with the non-applicant police Station for offences punishable under Sections 3, 7, 25 of the Arms Act, 1959.

3. The prosecution story in nutshell is that, on the basis of information from the secret agent, Vehicle No.MP-20-CG 1697 was inspected by the Police officials. At that time, accused persons were travelling by the said car. On thorough search of the said Car by the Police officials five handmade pistols, two steel magazines and 16 live bullets were found in the said vehicle. Thus, the accused were taken into custody and the said articles were seized by the Police. During the course of interrogation, it was revealed that since six months, accused Mohammad Nafij and accused Kamalsingh were in contact with each other for the purpose of sale and purchase of the handmade pistols, magazines

and live bullets. On the basis of the said allegations, FIR was registered against two accused persons and the name of the present applicant was added during the investigation on the basis of CDR and SDR records of the arrested accused persons.

4. Learned Counsel for the applicant submits that the allegation against the present applicant is that he has supplied five handmade pistols, two steel magazines and 16 live bullets to accused no.1. He submits that except the confessional statement of the co-accused, there is nothing on record to arraign the applicant as accused. He further submits that the CDR report shows that the mobile is used by one Sher Singh who is not connected with the applicant. Considering the nature of material available on record, the applicant be released on bail.

5. On the other hand, learned APP vehemently opposes the application and submits that two accused persons were caught red handed with five handmade pistols, two steel magazines and 16 live bullets. He submits that accused no.1 has disclosed only phone number and accordingly on the basis of the investigation was carried out and it was found that the present applicant is using the said phone number. Accordingly, the applicant was arrested on 08-12-2025. Learned APP further submits that there is ample evidence against the applicant and therefore bail may not be granted.

6. I have considered the rival submissions.

7. Admittedly, it appears from the record that the confessional statement was recorded. It further appears that even in the confessional statement the name of the present applicant was not taken by the main

accused. However, only one phone number was given which was in the name of one Sher Singh. Learned APP submits that Sher Singh is the son of the applicant. However, there is nothing on record to show that Sher Singh is the son of the applicant. At the time of the arrest only the motorcycle was seized from the applicant. However, no mobile was seized in order to connect the applicant and to show that the number which was disclosed by the main co-accused is used by the present applicant. Therefore, considering the above mentioned allegations, I am inclined to grant bail to the applicant. Hence, the following order.

- (i) Criminal application is allowed and disposed of.
- (ii) The applicant/accused be released on regular bail in Crime No.0270/2025 registered with Police Station, Sonala, Taq. Sangrampur, District Buldhana, for the offences punishable under Sections 3, 7, 25 of the Arms Act on his executing P.R. Bond of Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties in like amount i.e. one local surety and another having permanent residence in village Pachori, Tq. Khaknar, District Burhanpur (Madhya Pradesh).
- (iii) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (iv) The accused shall provide his residential address and cell number to concerned Police Station and shall not change his place of residence without prior intimation to the concerned Investigating Officer.

- (v) The applicant/accused shall attend each and every date of trial regularly. If he fails to attend the trial for two consecutive dates or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.

(M.M. Nerlikar, J.)