

MHND080007572025



ORDER BELOW EXH-1 in Misc. Cri. Bail Appln. NO.158/2025
(Anand Vs. State of Maharashtra)

The present application is filed by the applicant under Section 483 of The Bharatiya Nagrik Surakhasha Sanhita, 2023 for regular bail in connection with the C.R. No.277/2025 registered at Loha Police Station under Sections 3, 7, 25 of the Arms Act, 1959.

2] In short, the prosecution case is that:-

The informant is attached to Local Crime Branch, Nanded. It is alleged that as per the orders of the Police Inspector, Local Crime Branch, Nanded, he alongwith other police staff were patrolling. When they reached near Loha Bus Stand, they received credible information that two persons have brought pistols for sale, they effected raid at about 7.44 pm behind the Shani Temple where the present applicant and the other accused were found in possession of one country made pistol each and 06 live cartridges each. It is alleged that they were not having license for possessing the same. On this sort of report, the crime is registered.

3] The Investigating Officer through the learned APP has filed say vide Exh.04 and has resisted the application.

4] Heard both the sides.

5] The learned advocate for the applicant while referring to the report and section 7 of the Arms Act, submitted that the said section is not applicable as the alleged weapon is not an automatic weapon. He submitted that, at the most, it may be said that offence punishable under section 3/25 of the Arms Act is made out.

6] He submitted that, the applicant is 24 years old and he is not involved in any other crime, no other crime is registered against him. He submitted that, the applicant is falsely implicated. He submitted that, the applicant is ready and willing to abide by the conditions which may be imposed on him.

7] On the other hand, the learned APP has strongly objected the application. He submitted that, the applicant is found in possession of a pistol and live cartridges. He submitted that, the investigation is still in progress and if the applicant is released on bail, he may tamper the prosecution evidence.

8] There are allegations that the applicant is found in possession of a country made pistol and live cartridges. Now nothing is to be recovered or discovered at the hands of the present applicant, therefore, it will be unjust and improper to keep him in further custody, no purpose will be served by doing so. Therefore, by putting certain conditions, the application will have to be allowed. In the result, following Order is passed:-

Order

1. Application is allowed.
2. The applicant be released on regular bail on executing PR bond of Rs.25,000/- (Rupees Twenty Five Thousand only) and to furnish surety of like amount.
3. The applicant is directed not to abscond and not to tamper the prosecution evidence.
4. The applicant is directed to attend the Loha police station on every Thursday and Sunday in between 11.00 am to 3.00 pm for 03 months or till filing of charge-sheet, whichever is earlier.
5. He is further directed to attend the Loha police station on every first Sunday of every month for 03 years or till conclusion of trial, whichever is earlier in between 11.00 am to 2.00 pm.
6. Bail before the concerned Judicial Magistrate First Class.
7. Inform the concerned Police Station.

Date : 22.09.2025

(M. N. Patil)
Addl. Sessions Judge,
Kandhar.

CERTIFICATE

I affirm that the contents of this PDF file order are same, word to word, as per the original order.

Name of stenographer	Y.S. Kausadikar, Grade-1
Name of Court	Addl. Sessions Court-1, Kandhar
Date of Dictation	22.09.2025
Order signed by the P.O on	22.09.2025
Order uploaded on	22.09.2025

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