

**ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION
NO. 228 OF 2022**

{Kishor Baliram Baru Vs. The State of Maharashtra through
Gangapur Police Station}

This is an application under section 438 of the Criminal Procedure Code, 1973 for grant of anticipatory bail in crime no. 29 of 2022 registered with Gangapur Police Station under sections 3 and 4 read with 25 of the Arms Act.

02] The applicant contended that false and fabricated case is registered against him. He is local resident of Nashik and having movable and immovable property. He is doing business. He has not done any crime. Nothing has been seized from his house. Said sections are not attracted against him. He is ready to abide by any conditions imposed by the court. Hence, he has prayed for grant of anticipatory bail.

03] APP filed say at Ex. 05 and I. O. filed say at Ex. 06. They have stated that the offence is of serious nature. From the house of the accused, dangerous weapons are found. Eight live bullets and one pistol is found. His custodial interrogation is required. Hence, they have prayed for rejection of bail.

04] Heard the learned counsel for the accused and learned APP. They have argued as per the above stand taken. The learned counsel for the accused has relied on **Maulana Mohd. Amir Rashadi vs. State of U. P. and another reported in 2012(1) SCC (Cri.) 681.** in the context that habitual criminal and facing numbers of case is not the ground to reject the bail.

05] I have gone through application, say, arguments, police papers and case law. Prima-facie strong case is made out against the accused. From the house of the accused, police found eight live bullets and one pistol and two sickles. For what purpose, he has kept

it in his house, his custodial interrogation is required. The offence is of serious nature. Investigation is still not completed. In such circumstances, the cited case law is not applicable and accused is not entitled for bail. Hence, the following order:

ORDER

Application is rejected.

Date : 21.02.2022

(R. R. Rathi)
Additional Sessions Judge-5,
Nashik.