

BA 1/2018

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Order

**IN THE SESSIONS COURT FOR GR.BOMBAY, BORIVALI DIVISION,
DINDOSHI,GOREGAON,MUMBAI.**

**BAIL APPLICATION NO.1/2018
(SPL.LAC NO.85/2017 MIDC POLICE STATION)**

Mr.Babloo Gopal Arjat @

Babloo Ranga Arjun

..... Applicant.

Versus

State of Maharashtra

... Respdt.

CORAM:His Honour Addl.Sessions Judge

Dr.KHWAJA F.M.

DATE :8th January 2017.

(C.R.NO.09)

Advocate Mr.Pramod Pandey for the applicant.

APP Mr.Salunke for State.

: O R D E R :

1 This is an application seeking bail in Spl.LAC No.85/17, registered with MIDC police station for offences punishable u/s 3, 25 of Arms Act.

2. Prosecution case as per FIR is that on 10.11.17 complainant got information that one person has revolver without valid license. at Sagbag Andheri Kurla road. At about 5.45 pm police team reached there and saw two persons were walking at footpath . The team suspected and stopped them. After taking personal search of the accused, revolver and bullets were found in his pant. Police also took personal search of the co-accused Vishal and police found 3 bullets in his pant pocket. Thus, FIR came to be lodged.

3. According to the applicant he is innocent and has been falsely implicated in this case. He has nothing to do with the alleged offence. he

even claimed that he was not present at the alleged date, time of the incidence. Hence, it is prayed that he be released on bail.

4. Prosecution has opposed the application by filing say at Exh.2. It is contended that there is possibility that applicant may indulge in alike offences in case he is granted bail. It is yet to be ascertained from where the weapon has been brought. So also possibility that applicant will abscond can not be ruled out. Thus, it is prayed that application may be rejected.

5. Heard both the sides as well as the IO, PSI Pawar in person. It is submitted that the investigation is almost complete and report of Ballistic Expert from Kalina is awaited for filing of chargesheet. Needless to say that weapon is already recovered alongwith bullets. Applicant is arrested on 11.11.17 and from 14.11.17 till this date he is in JC. Considering the submissions there appears to be no ground for custodial interrogation and investigation appears to be almost complete. Under such circumstances, no fruitful purpose would be served just by keeping the applicant behind the bars. Hence, prayer for bail can be considered by imposing certain conditions. Hence, the order.

ORDER

1. Bail Application No.01/2018 is hereby allowed.
2. **Applicant/accused Babloo Gopal Arjat @ Babloo Ranga Arjun** be released on bail on furnishing **P.B. and S.B. of Rs.15,000/-, alternatively on furnishing provisional cash bail of Rs.15,000/- for a period of one month**, in Spl.LAC No.85/2017 of MIDC Police Station for the offences punishable u/s. 3, 25 of Indian Arms Act.

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3. He shall fully co-operate with the Investigating Officer by marking his presence at Juhu Police Station as and when required.
4. Bail Application No.1/2018 is disposed of.

08/1/2018

(Dr.Khwaja F.M.)
Additional Sessions Judge,
(Borivali Division),Dindoshi,
Goregaon,Mumbai.

Dictated on 08/01/2018
Transcribed on 08/01/2018
Signed by HHJ on