

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 5938 OF 2015

Kishor s/o Sitaram Salunke

..... APPLICANT

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. R.V.Naiknavare, Advocate for Applicant.

Mr. S.M.Ganachari, A.P.P. for Resp. - State.

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CORAM : INDIRA K. JAIN, J.

DATE : 23rd NOVEMBER, 2015

ORAL ORDER :-

. Here is an application for pre-arrest bail in Crime No. 234/2015 registered with Tuljapur police station, district Osmanabad for the offences punishable u/ss 394,395,385 and 427 of the Indian Penal Code.

2. Heard Mr. R.V.Naiknavare, learned counsel for the Applicant and Mr. S.M.Ganachari, learned A.P.P. for respondent – State. Perused papers of investigation.

3. On 27/09/2015 complainant Vinod Malhari Gaikwad lodged report alleging therein that at about 5.30 p.m. applicant came to his Dhaba along with his friend and demanded key of Dhaba saying that he could not run

Dhaba belonging to Tuljai Gruh Nirman Society, Tuljapur. Applicant is the Chairman of said Society. It is also alleged that amount of ₹ 2,00,000/- was demanded by the applicant from the informant till festival of Dasra, and he was threatened that the said Dhaba would be removed if amount is not paid. According to complainant he was assaulted by applicant with kicks and fists blows and he robbed ₹ 5,500/- from the counter in possession of Uday Vilas Gaikwad. They also caused damage to the property of Dhaba.

4. After the incident above said crime was registered against the applicant and the co-accused. During investigation, statements of six eye witnesses have been recorded. On perusal of their statements, it can be seen that they support the allegations in F.I.R.

5. Since F.I.R. makes out a prima facie involvement of the applicant in a serious crime and investigation is in progress this Court does not find it fit to grant pre-arrest bail. Hence, the following order.

6. Criminal Application No. 5938 of 2015 stands rejected.

[INDIRA K. JAIN]
JUDGE