

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.215 OF 2015

Pravin @ Pintu Yashwant Khote

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. P.G. Sarda, for the Applicant.

Mr. S.S. Pednekar, APP, for Respondent – State.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **MARCH 18, 2015**

PC.:

1. This application is preferred by the applicant/accused as he is prosecuted for the offence punishable under Sections 364(A) of Indian Penal Code on 15-01-2015 and the F.I.R. is registered at C.R. No.02 of 2015 at Koregaon-Park police station, Pune. The son of the victim who was kidnapped is the informant. His father Eknath Aade borrowed the amount of Rs. 10 lacs from the father of applicant/accused. He returned 9 lacs and could not pay Rs. 1 lac. The father of the applicant/accused used to demand the said amount. However, he could not pay and therefore on 15-01-2015 four unknown persons whose faces were covered, physically lifted Eknath Aade and brought to some place. Thereafter, Eknath Aade realized that the applicant/accused was one of them. His nick name is Pintu and he

asked Eknath Aade to speak with his son and made him to demand money. After this, Ekanth allowed to go. Pursuant to the said F.I.R. father of the applicant/accused was arrested. Hence, this application for pre arrest bail by the son.

2. The learned counsel for the applicant/accused has submitted that father of the applicant/accused is in custody. Police have nothing to recover from the applicant/accused and he has not committed any offence. His custody is not required and therefore he be granted pre arrest bail.

3. The learned prosecutor opposed the bail application.

4. Considering the facts of the case and the allegations made in the F.I.R. and on perusal of the statement of Balu and Eknath Aade, it appears that the applicant/accused has played active role in kidnapping Eknath Aade. It is not the case to grant pre arrest bail. Hence, rejected.

(MRS.MRIDULA BHATKAR, J.)