

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.611 OF 2015**

Dattatray Ramchandra Jadhav	Applicant.
Versus	
The State of Maharashtra	...Respondents.

Mr. S.R.Chitnis, Sr. Adv. i/by Mr. Vaibhav R. Gaikwad, advocates for the Applicant.
Mr. D.P.Adsule, APP for the respondent-State.
Mr. V.V.Purwant, advocate for the original complainant.
I.O.Mr. Ravindra C. Pisal, PI Satara City P. Stn., Satara present.

CORAM : MRS. MRIDULA BHATKAR, J.

DATED : April 27, 2015.

P.C.:

The application is moved for bail as the applicant-accused is facing charges under Sections 395, 120B, 452, 324, 427, 323, 504 and 506 IPC and Section 37(1)(3) of the Bombay Police Act. It is the case of the prosecution that one Sagar Patekar, who is working in the Apurva Construction gave information to the police that owner of Apurva Construction has received threats from the applicant-accused and the applicant-accused has demanded ransom of 96 lakhs from his employer. As the said money was not given at the instance of the applicant-accused, his 10-15 associates damaged the property and, therefore, complaint was

lodged by owner Vijay and Ashok Shinde against the applicant-accused. Thereafter on 26.10.2014 at night at around 9.40 pm, 35-40 persons having stumps and sticks entered site of Apurva Construction. They destructed furniture and vehicles. They assaulted the complainant and other workers and also threatened them. They took away money from the complainant, other persons and watchmen. They also threatened not to give information to the police otherwise they would not leave them. They also told that they were doing so because owner of Apurva Construction did not pay ransom to the applicant-accused. Hence, complaint was given. Applicant-accused is arrested on 10.11.2014. Hence, this bail application.

2 The learned Senior Counsel has submitted that though there are many cases against the applicant-accused, they are lodged by the owner of Apurva Construction. Applicant-accused was not present when the incident of robbery has taken place. He further submitted that the applicant-accused is ready to abide by all the conditions imposed by this Court and he is ready to stay out of the district Satara.

3 The learned prosecutor opposed the application. He relied on the order of the Division Bench passed on 21st November, 2014 in Writ Petition No.4386 of 2014. He submitted that the applicant-accused is

history sheet and is indulged in number of offences and, therefore, he should not be bailed out.

4 Record discloses that the applicant-accused is having criminal record of committing similar type of offences of extortion, robbery or dacoity. The Division Bench of this Court in its order dated 21st November, 2014 has made specific observations against the applicant-accused. It is to be noted that the complainant has filed writ petition in this Court stating that he has not lodged complaint against the applicant-accused but it is the action of police and false case is made out. In view of this, I do not think that he will not pressurize the complainant or witnesses. Considering this, I do not have confidence that the applicant-accused will not threaten witnesses or the complainant.

5 Bail application, accordingly, stands rejected.

(MRS.MRIDULA BHATKAR, J.)