

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.621 OF 2015**

Sanjay Nivruti Waghmare
Versus
The State of Maharashtra

....Applicant.

...Respondent.

Ms. Anjali Patil, advocate for the Applicant.
Mr. D.P.Adsule, APP for the respondent-State.

CORAM : MRS. MRIDULA BHATKAR, J.

DATED : March 26, 2015.

P.C.:

The application is moved for regular bail . The applicant-accused is prosecuted for the offences punishable under Sections 342, 364A, 387 read with Section 34 of the IPC. One Avanti has given information to the police at Kharghar Police station, Raigad pursuant to which F.I.R. was registered at I/356/2014 on 29.11.2014. It is the case of the prosecution that her husband Ashok Deshmukh was doing the business of trading of shares. Applicant-accused along with two co-accused have funded him and he used to share some profit to them. However, due to short fall and loss in the business of trading of shares, he could not pay profit and return the amount. As Rs. 14 lakhs were due

from Ashok, on 27.11.2014, accused and co-accused kidnapped him and made him to demand 14 lakhs of rupees by contacting his wife i.e., the complainant on phone. They made Ashok to demand money from his wife and brother. Avanti had approached police and, therefore, police led trap with the help of Ganesh, brother of the Ashok. Accused and co-accused were arrested when Ganesh was about to hand over money to them. Applicant-accused and co-accused were taken in custody on 30.11.2014. Hence, this bail application.

2 The learned counsel for the applicant-accused has submitted that the other two accused are granted bail. Applicant-accused is innocent and he made demand of his own money due to Ashok and prays for bail.

3 The learned prosecutor opposed the bail application. He relies on the statement of Ashok and other witnesses.

4 Perused the FIR and other statements. It appears prima-facie that the applicant-accused and co-accused have kidnapped Ashok and they demanded money through him from his wife and brother.

5 Considering the contents in the FIR and reasons for the offence and nature of the offence, bail is granted on the following conditions:

- i) The applicant/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.20,000/-, with one or two sureties in the like amount;

ii) The applicant-accused not to pressurise and tamper the witnesses.

(MRS.MRIDULA BHATKAR, J.)