

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.652 OF 2015**

Deepak Ganpat Shinde
Versus
State of Maharashtra

....Applicant.

...Respondents.

Mr. Ganesh Krishnaji Sovani, advocates for the Applicant.
Mrs. R.V.Newton, APP for the respondent-State.

CORAM : MRS. MRIDULA BHATKAR, J.

DATED : March 31, 2015.

P.C.:

This application is moved for bail as the applicant-accused is prosecuted for the offences punishable under Sections 342, 364A, 387 read with Section 34 of the IPC in C.R.No.356 of 2014 at Kharghar Police Station, District: Raigad. It is the case of the prosecution that victim Ashok Deshmukh was doing the trading in foreign currency and the applicant-accused and the co-accused have invested different amounts with him. He could not pay profit and return the amounts of the applicant-accused. Therefore, they demanded said amounts, which he could not repay. Therefore, the applicant-accused and co-accused kidnapped him. They kept him in isolated close place, assaulted him with wooden stump

and gas pipe. They demanded ransom of Rs.8 lakhs to his wife through him. Three co-accused were caught red handed on 30.11.2014 in a trap led by the police. Applicant-accused was surrendered before the police on 5.12.2014 and he was taken in custody. Hence, this bail application.

2 The learned counsel for the applicant-accused has submitted that the applicant-accused is in custody since then. This Court has granted bail in Bail Application No.621 of 2015 by its order dated 26.3.2015 to co-accused Sanjay Nivruti Waghmare. Role attributed to the applicant-accused is the same, which was attributed to Sanjay Waghmare. The learned counsel submitted that he shall not jump the bail and prays bail on the principle of parity.

3 The learned prosecutor opposed the application and she submitted that the role played by the applicant-accused is evident as per the statement of the victim.

4 Perused the FIR and statement of the victim. Role played by the applicant-accused is the same like co-accused Sanjay Waghmare. This Court has considered the nature of offence, allegations made and so also the manner in which offence is committed and the reasons for which the offence is committed and has granted bail to the co-accused.

Therefore, considering these points and also parity, application is allowed on the same conditions, which are as follows:

- 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.)