

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.462 OF 2015**

Mr. Amin Mehboob Shaikh
Versus
State of Maharashtra `

....Applicant.

...Respondent.

Ms. Aneeta Kiran Katariya advocates for the Applicant.
Mr. J.H.Ramugade, APP for the respondent-State.

CORAM : MRS. MRIDULA BHATKAR, J.

DATED : March 31, 2015.

P.C.:

The application is moved for pre-arrest bail. Applicant-accused is facing charges under Sections 364, 341, 342, 324, 323, 504, 506 read with section 34 of the IPC. One Guddu Hafiz Rangrez gave information to the police at Dehu Road police station, Pune. According to him and pursuant to the said information offence was registered vide C.R.No.42 of 2015 on 28.2.2015. It is the case of the prosecution that the complainant was staying at Dehu Road. He has two daughters. One daughter was staying at Nigadi and another daughter is staying near his house. He was running grocery shop and it is a big family consisting of 21 voters. Applicant-accused is habitual offender and he is having criminal record.

He demands ransom and has created terror in the vicinity and this was what he was earning his livelihood . He is corporator from the cantonment board. However, as he has criminal record, he was not eligible for contesting election. So his wife contested corporation election from ward no.3. However, at that time, he was in the prison. His wife lost the election and, therefore, when he came out of the prison, he contacted informant and asked him to whom he and his family members have voted for and he also threatened them. He said that as the complainant and his family members did not vote, his wife lost the election. He forcibly took him away in the car from his house. Applicant-accused was with his in-laws. Thereafter, he threatened him . He took him to Nigadi and threatened him in the presence of daughter of the informant/complainant. Then he put the complainant in one room assaulted him along with one Nandu with iron pipe and wooden stick. He was injured severely. Hence, he gave complaint. Thereafter, applicant-accused called his associates and told them that put the informant/complainant in the oven of the bakery and killed him and then made him to sit near the oven of the bakery. Then he ran away and saved his life.

3 The learned counsel for the applicant-accused submitted that the applicant-accused is innocent. She submitted that the police of Dehu Road has no jurisdiction to register the offence and the offence has taken place at Nigadi. She submitted that the applicant-accused is to be

protected by pre-arrest bail.

4 The learned prosecutor opposed the bail application.

5 Perused the order passed by the learned Additional Sessions Judge, Pune. Considering the allegations in the FIR and the order passed by the learned Additional Sessions Judge, Pune I am of the view that this is not a fit case to grant pre-arrest bail as the applicant-accused is terror in the city and his custodial interrogation is required.

6 Application, accordingly, stands rejected.

(MRS.MRIDULA BHATKAR, J.)