

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Criminal Application No. 4614 of 2016

District : Jalna

Jitendra s/o. Bhikaji Wankhede,
Age : 19 years,
Occupation : Education,
R/o. Laxminagar,
Mantha Choufuli,
Jalna,
Taluka & District : Jalna. .. Applicant.

versus

The State of Maharashtra,
Through Police Station,
Taluka Jalna,
Taluka & District : Jalna. .. Respondent.

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Mr. R.O. Awasarmol, Advocate, for the applicant.

*Mr. S.D. Ghayal, Addl. Public Prosecutor, for
the respondent.*

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CORAM : A.M. BADAR, J.

DATE : 1ST SEPTEMBER 2016

ORAL ORDER:

The applicant / accused in Crime No. 234/2015, for offences punishable under Sections 363, 364A, 387, 120B of the Indian Penal Code, registered with Taluka Police Station, Jalna, District Jalna, at

the instance of Iftekhar Ahemad s/o. Manjoor Ahemad, by this application, is seeking his release on bail.

2. Heard the learned Counsel appearing for the applicant / accused. He argued that name of the applicant is not figuring in the FIR. One witness has not identified the applicant. The learned Counsel further argued that victim has not attributed any overt act to the present applicant in the crime in question and, therefore, the applicant deserves to be released on bail.

3. The learned Addl. Public Prosecutor appearing for the respondent - State opposed the application.

4. Perused the charge-sheet. Perusal of the charge-sheet shows that on 27.09.2015, after ceremony of immersion of God Ganpati, accused Gajanan Taur, present applicant Jitendra Wankhede and the co-accused kidnapped Ahetesham Ahemad Manjoor Ahemad, a boy aged about 17 years, for demanding ransom from his family members. FIR lodged by Iftekhar Ahemad shows that there was demand of Rs. 15,00,000/- as ransom for releasing his younger brother Ahetesham Ahemad.

5. In the identification parade, the victim has duly identified the present applicant as one of the

accused who participated in kidnapping for ransom.

6. Subsequent events which can be seen from registration of Crime No. 124/2015 against the present applicant and co-accused shows how this offence of kidnapping for ransom took ugly turn when one of the co-accused had fired a bullet at informant Iftekhar Ahemad and how Police party was required to save kidnapped boy Ahetesham Ahemad. Considering the degree of criminality shown by the present applicant as well as co-accused while committing this crime as well as after commission of crime, no case for bail is made out.

7. The Application is accordingly rejected.

(A.M. BADAR)
JUDGE

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