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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.837 OF 2016

Ramkesh Raju Vegade

.... Applicant

V/s.

The State of Maharashtra

.... Respondent

Mr. Vishal Kolekar, h/f Mr. Avinash Kamkhedkar,
for the Applicant.

Mr. Deepak Thakre, APP for the Respondent State.

CORAM : A. M. BADAR, J.

DATE : 12th AUGUST, 2016.

P.C. :

1. The applicant/accused, in crime No.254 of 2015, for the offences punishable under Sections 395, 385, 387, 506(2) read with 34 of the Indian Penal Code and under Sections 4(25) of the Arms Act, registered at police Station, Sinhagad Road, Pune, at the instance of Sadanand Shetty, by this application is seeking pre-arrest bail.

2. Heard the learned counsel for the applicant/accused. He argued that no role is attributed to the present applicant in the crime in question and nothing is recovered at his instance. Therefore, the applicant is entitled for bail.

3. The learned APP opposed the application by contending that the offence is serious. The learned APP argued that there are criminal antecedents against the present applicant.

4. Perused the chargesheet. The crime in question is registered at the instance of Sadanand Shetty on 30.6.2015. He is owner of Hotel Malhar, which is having beer bar and permit room. Suresh Desai is working as a Manager in the said Hotel. According to prosecution case, the applicant accompanied by co-accused Bunty Pawar, Satish Shinde, Vinod Jamdade, Swapnil Torade, Milind Rajguru used to visit his hotel time and again for having food. As the accused persons were having terror in the locality, the informant and his employees were not lodging any report against them. It is averred by the prosecution that the present applicant is associate of main accused Bunty Pawar, who threatened the informant to pay an amount of Rs.25,000/- per month for running the hotel in the locality. Co-accused Bunty used to extend threats to the employees and the owner of the hotel in extorting the amount. Ultimately on 26.6.2015, according to the prosecution case, the present applicant alongwith co-accused including Bunty Pawar, barged in the hotel Malhar and ransacked that hotel as the owner thereof failed to pay amount as demanded by the applicant and co-accused. The bottles of liquor were broken, show-cases as well as counter of the hotel were damaged by the

present applicant as well as his associates. Then the accused persons robbed an amount of Rs.16,000/- by taking it from the counter of the Hotel. Apart from the informant/owner, employees namely Suresh Desai, Rushikesh Patil, Abhijit Vishwas and Sachin Sapkar, have vouched about the incident.

5. Considering the mode and manner of the crime for demanding amount of Rs.25,000/- per month for running hotel in the locality, if released on bail, the applicant and co-accused may indulge in repetition of similar offences. The applicant is having criminal antecedents. The crime allegedly committed by the present applicant is serious. No case for bail is made out. The application is rejected.

[A. M. BADAR, J.]