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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 214 OF 2017

Mukesh @ Babu Manohar Pawar

..Applicant.

Vs.

The State of Maharashtra

..Respondent

Mr. Dushyant S. Pagare, for Applicant.

Ms. Veera Shinde APP for State.

Mr. U.I. Kale, P.S.I., Kolsewadi Police Station present.

CORAM: A.S. GADKARI, J.

DATE : 3rd April 2017.

P.C.

1] This an application under Section 439 of Cr. P.C. for bail in CR No.I-256 of 2016 registered with Kolsewadi Police Station, Kalyan (East), District-Thane under Section 394, 384, 452, 506(2) and 504 of the Indian Penal Code.

2] The first information report is lodged by Shri Ashok Choudhary. The prosecution case in brief is that, the complainant runs a grocery shop at Tisgaon, Kalyan (East). That on 4.8.2016 at about 10.00 p.m. when the complainant was about to close down the shutter of his shop,

the applicant came to the spot and demanded ransom from the complainant and administered threats of dire consequences if the said amount is not paid. That the applicant has also assaulted the complainant with fist and kick blows. The applicant thereafter removed cash of rupees two thousand from the drawer of the complainant's shop and further administered threats not only to the complainant but also to the other shopkeepers in the vicinity. The complainant gave a call to the police who immediately came on the spot and apprehended the applicant. After completing necessary formalities, the police arrested the applicant on 5.8.2016. After completion of investigation, the police submitted chargesheet.

3] The learned counsel for the applicant submitted that the applicant has been falsely implicated in the present crime. That the landlord of the complainant is having dispute with the applicant and therefore at his instance the present crime is registered. He submitted that the investigation pertaining to the present crime is over and further detention of the applicant in the jail custody is not necessary and prayed that the applicant may be released on bail.

4] I have perused the record/documents annexed to the application. It is to be noted here that, apart from the first informant, there are other five eye-witnesses present at the spot who corroborated the

version of the complainant. That apart from the present crime, the applicant is also involved in crimes bearing CR No.286 of 2015 under Sections 394, 307, 143, 147, 148, 149 of the Indian Penal Code and CR No.218 of 2016 under sections 302, 307 read with 34 of the Indian Penal Code. The record reveals that, the applicant has committed the present crime when he was on bail in the aforestated crimes. Thus, the applicant is having propensity towards criminality and if he is been released on bail there is every possibility that the applicant may administer threats to the witnesses, tamper with the evidence and may indulge into fresh offences.

5] In view of the facts and circumstances of the case and the antecedents at the discredit of the applicant, according to me the applicant does not deserves to be released on bail.

6] The Bail Application is rejected.

(A.S. GADKARI,J.)