

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1225 OF 2017**

Nitin Govind Admane Applicant
vs
State of Maharashtra .. Respondents

Mr. Dayanand Awari for Applicant
Ms. S. S. Kaushik Additional Public Prosecutor
for State-Respondent
Mr. Poman PSI Samarth Police Station present

***CORAM : T.V. NALAWADE, J
DATE: 24 AUGUST 2017,***

P.C.

1. The application is filed for bail in C.R.No.228 of 2016 registered in Samarth Police Station, District Pune for offences punishable under sections 395, 386, 341, 323, 506 (2) of IPC.

2. Both sides are heard.

3. Papers of investigation are made available for the perusal of this Court.

4. Allegations are made by the first Informant that on

29.11.2016 one Pintya Mane gave threats to him, entered his flat with his associates including the present Applicant and extorted money, an amount of Rs.10,000/-. Threats were given that every month such amount should be given to Pintya Mane. Allegations are made that he was holding one weapon and threat of use of that weapon was given.

5. The learned APP submitted that in addition to the direct evidence, there is recording done in close circuit camera and in that record also present applicant can be seen. It appears that the test identification parade was arranged but, Jitendra Rathod relative of the first Informant could not identify the present Applicant. Submissiions would show that there is no record of bad antecedents against the Applicant. This Court is expressing the opinion that if it has become the habit of the present Applicant, the provisions of MCOC Act can be used against them. As at present there are no bad antecedents and the Applicant has been behind bars since last seven months and it is not certain as to when the matter will be disposed of, the application needs to be allowed.

6. In the result, Application is allowed. Applicant to be released on bail on his furnishing PR bond in the sum of Rs.50,000/- with one or two solvent sureties in the like amount. He should not tamper with prosecution witnesses, he is not to commit similar crime during this period, he has not to go even to the vicinity of the shop and the residential place of the first Informant and that he is not to contact the witnesses.

(T.V.NALAWADE, J)