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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2163 OF 2016

Abhishek Rameshchandra Saroj

..Applicant

Vs.

State of Maharashtra

..Respondent

Mr. Rajesh H. Mishra for Applicant.

Mr. Ajay Patil APP for State.

CORAM: A.S. GADKARI, J.

DATE : 6th April 2017.

P.C.

1] The applicant is apprehending arrest in CR No.462 of 2016 dated 23.9.2016 registered with Borivali Police Station, Mumbai under Sections 367, 397, 326 read with 34 of the Indian Penal Code.

2] The first information report is lodged by Shri Dilip Yadav. It is alleged against the applicant that, the applicant along with his friend Miss Janet called the complainant at Borivali railway station and when the complainant reached Borivaly railway station, the applicant, his friend Ms. Janet and one unknown person asked him to board in a Taxi. After the

complainant sat in the Taxi, the applicant and his friend started assaulting him. They took him at an isolated place and again assaulted him with bamboo sticks. The applicant and co-accused thereafter took away Rs.20,000/- from the wallet of the complainant. They also robbed silver bracelet, mobile phone (Samsung make) and wrist watch from the person of complainant and left him at the said spot. The complainant thereafter managed to reach the main road and took medical aid and thereafter lodged the first information report.

3] The learned counsel appearing for the applicant submitted that, the complainant was released under the charge of N.D.P.S. Act by the Metropolitan Magistrate on 22.9.2016 at about 6.00 p.m. and therefore it is improbable that the complainant was having Rs.20,000/- in his pocket. The complainant has lodged false complaint against him and therefore the applicant may be granted pre-arrest bail.

4] The record reveals that the complainant in the first information report has stated that the applicant called him at Borivali railway station on the date of incident and thereafter abducted him. That after assaulting complainant, the applicant robbed aforesaid articles from the person of the complainant. Since the allegations are of serious nature and the police have yet to recover the said articles robbed by the applicant. After

considering the gravity of the offence and the serious allegations against the applicant, in my considered opinion, the applicant does not deserve to be protected by way of pre-arrest bail.

5] The application is accordingly rejected.

(A.S. GADKARI,J.)