

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1207 OF 2018

Ramesh @ Anna Virswami Naidu

... **Applicant**

V/s.

The State of Maharashtra
(Shivaji Nagar Police Station, Mumbai)

... **Respondent**

Ms Yogini Ugale, Advocate for the Applicant.
Mr. A.A. Takalkar, APP for the Respondent State.

CORAM : A.S.GADKARI, J.

DATE : 4th JULY 2018

P.C.:

1. This is an application under Section-438 of the Code of Criminal Procedure for pre-arrest bail in CR No.240 of 2018 dated 15.05.2018 registered with Shivaji Nagar Police Station, Mumbai under Sections 394, 506(2), 34 of IPC and u/w.4 r/w 25 of Arms Act.
2. The prosecution case in brief is that, the first informant Mr. Aaftab Shaikh knows the applicant as a known criminal from the vicinity. That on 14.05.2018 at about 9.30 p.m., the applicant initially accosted the informant and demanded a ransom from him, however, the informant could manage to run away from the offence.

That on 15.05.2018 at about 1.50 p.m., the applicant alongwith his two associates again accosted the informant and brandished a sword at him and thereafter put the said sword on his throat and robbed Rs.1,000/- from the pocket of the informant. The applicant also threatened informant of dire consequences.

3. The learned counsel appearing for the applicant submitted that on 15.05.2018 the applicant was attending the Court matter at Mumbai and returned to his house at about 2.17 p.m., and therefore, there was no question of he committing the alleged crime at about 1.50 p.m. She further submitted that in pursuance of the directions issued by the Sessions Court, Mumbai, the applicant has attended the Investigating Officer. She, therefore, prayed that the applicant may be granted pre-arrest bail.

4. The first information report in the present case itself is eloquent. It is the specific allegation against the applicant that he alongwith his two associates accosted the informant on 15.05.2018 at about 1.50 p.m. and by putting the sword on the throat of the informant, robbed Rs.1000/- from his pocket.

The record indicates that, the weapon used by the applicant

and the amount robbed are yet to be recovered by the police. The police are also supposed to trace out the other two associates of the applicant and the same is not possible without there being thorough interrogation of the applicant by the police.

5. After taking into consideration the afore-stated facts, serious allegations against the applicant and the gravity of the offence, this Court is of the view that the applicant does not deserve to be protected by pre-arrest bail.

6. Application is accordingly rejected.

(A.S.GADKARI, J.)