

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

ANTICIPATORY BAIL APPLICATION NO. 1316 OF 2017

Sandeep Bapurao Ahire

... **Applicant**

V/s.

The State of Maharashtra

... **Respondent**

Mr. Vishal Singh i/b M/s. Kumar & Associates for the Applicant.

Mr. S.S. Hulke, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 24th JANUARY, 2018

P.C.:

. The Applicant is apprehending arrest in C.R. No. 68 of 2016 registered with Vinoba Bhave Nagar Police Station, Mumbai under Sections 170, 419, 363, 385, 389, 384, 388, 467, 468, 471 and 120-B of the Indian Penal Code.

2 Heard the Learned Counsel for the Applicant, the learned APP and perused the record of investigation.

3 The FIR is lodged by Abdul Sajid Gaffar Shaikh. It is the prosecution case that the principal accused namely Vishal Rathod @ Vishwas Shinde along with other accused persons by impersonating themselves as Officers from the Intelligence Bureau initially demanded Rs.70,00,000/- as extortion amount from the informant which after negotiations was reduced to Rs.30,00,000/-. That, the said accused No.1 Vishal Rathod along with other persons was arrested by police

when they had been to collect the said money from the first informant.

4 The Investigating Officer Shri. S.D. Jagdale has filed an affidavit dated 25.09.2017. The record of investigation reveals that the owner of the Innova Car Shri. Ganesh Patil has stated that the present Applicant is having connection with the principal accused Vishal Rathod. There are certain calls exchanged on mobile phones between Vishal Rathod and present Applicant. On the basis of the said material available on record the police are seeking custody of the Applicant for further investigation of the crime. The record further indicates that the principal accused Vishal Rathod along with other three accused persons have been arrested by the police and their custodial interrogation has already been carried out.

5 Except the aforesaid material available with the investigating agency, prima facie it appears that, there is no other material to connect the Applicant with the present crime. In view thereof, the Applicant deserves to be protected by pre-arrest bail.

Hence, the following order.

i) In the event of arrest of the Applicant in C.R. No. 68 of 2016 registered with Vinoba Bhave Nagar Police Station, Mumba, the Applicant shall be released on bail on his furnishing PR Bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

ii) Applicant shall attend the Investigating Officer as and when called for between 10.00 a.m. to 2.00 p.m. and to join the process of investigation till

the submission of final report against him.

iii) Applicant shall not tamper with the evidence and/or pressurize or threaten the prosecution witnesses.

iv) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)