

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,**  
**NAGPUR BENCH, AT NAGPUR.**

**CRIMINAL APPLICATION (BA) NO.635 OF 2018**

(Suraj Raju Krishnapurkar ..vs.. State of Maharashtra, through PSO, PS Pachpaoli, Nagpur)

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

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Shri S.V. Sirpurkar, Counsel for the applicant,  
Shri M.K. Pathan, Addl.P.P. for the non-applicant.  
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**CORAM : ROHIT B. DEO, J.**

**DATED : 19-07-2018**

The applicant is in custody since 05-3-2018 in connection with Crime 43/2018 registered with Pachpaoli Police Station, Nagpur for offences punishable under Sections 364-A and 387 read with Section 34 of the Indian Penal Code.

2. The case of the prosecution is that a fake facebook account in the name of Kajal Bawane was opened to entice the victim Mayur. On 27-2-2018 Mayur received a whatsapp message from Kajal asking him to meet her at Walker Street. Mayur and his friend one Mousin went to Walker Street only to receive another message that in view of the crowd on Walker Street, Mayur should come to C.P. Club Road. Mayur went to C.P. Club Road and waited for Kajal at the Hanuman Temple T Point when two youth, later identified as co-accused Matin and Raj came there, claimed to be the brothers of Kajal, made Mayur handover his Cell phone, and berated Mayur that

since he committed a mistake, he should come with them to Kajal's father.

3. It is the case of the prosecution that Mayur was taken from one place to the other by Matin and Raj and ultimately Mayur escaped from their clutches at 5-00 p.m. or thereabout. Concededly, the applicant has neither been named nor is it the case of Mayur that he interacted with the applicant. The case of the prosecution is that it was the applicant who made ransom calls to the father of Mayur. The material which is pressed in service to oppose bail is the recovery of Mayur's mobile from the applicant pursuant to Section 27 of the Indian Evidence Act memorandum.

4. It is not in dispute that the applicant has no criminal antecedents. The offence alleged is indeed grave and the punishment is severe. However, in the light of the supporting material pressed in service by the prosecution, I do not consider it appropriate to continue the incarceration of the applicant in custody. It is not even argued that the applicant is likely to flee away from the course of justice or that he would in a position to tamper with the evidence. The application is allowed.

5. The applicant shall be released on bail on furnishing personal bond of Rs.15,000/- with one solvent surety of the like amount.

6. The applicant shall not tamper with the prosecution evidence nor shall attempt to influence the witnesses in any manner.

7. The applicant shall cooperate the police in the investigation.

**JUDGE**

*adgokar*