

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

CRIMINAL BAIL APPLICATION NO. 741 OF 2019

Ranjit Dattatray Karande Applicant

Versus

The State of Maharashtra Respondent

Mr. Nitesh J. Mohite I/b. Jaydeep D. Mane, Advocate for the Applicant.

Smt. A. A. Takalkar, APP for the State/Respondent.

CORAM :SARANG V. KOTWAL, J.

DATE :24th SEPTEMBER, 2019

P.C. :

1. The Applicant is seeking his release on bail in connection with C.R.No. 380 of 2018 registered with Sinhagad Road Police Station, Pune, under sections 364, 324, 323, 504 and 506 r/w. 34 of the Indian Penal Code, Under sections 3 and 4 r/w. 25 of the Indian Arms Act and U/s.37(1) r/w. 135 of the Maharashtra Police Act. The applicant is arrested on 31/08/2018 and since then he is in custody. The investigation is over and the

charge-sheet is filed. The prosecution case is in respect of abduction of one Vijay Dabde who had got married with one Shobha Karande against the wish of Shobha's family. After their love marriage, the family of Shobha was constantly harassing the victim Vijay.

2. The FIR was lodged by Shobha herself on 29/08/2018 in respect of abduction of her husband Vijay by her own brother Nandu, cousin Navnath and one of their associates. The present applicant is cousin of Shobha. In this context, the statement of the victim Vijay is important. His statement was recorded on 30/08/2018. He has stated that he got acquainted with Shobha and their friendship turned into love affair. They decided to get married and on 15/07/2018 they got married at Alandi. When this news was told to Vijay's father, he was informed that the applicant, Shobha's brother Nandu, one Navnath and others had gone to Vijay's house and had threatened the parents. They had threatened to commit murder of Vijay, as well as, Shobha. Shobha and Vijay, therefore, avoided going to Vijay's house. In such situation, one and half month passed. On 29/08/2018 Vijay was abducted by the

applicant, Nandu and Navnath at gun point. They were carrying pistol. He was forced to sit in a car and he was taken to various places. On the way he was continuously threatened and assaulted with butt of the pistol. The victim suffered bleeding injuries. At one Toll plaza he tried to raise shouts, but the car was taken ahead and he was again assaulted. In the meantime, the car was punctured, therefore, the car had to be stopped. In the meantime, the applicant and others came to know on telephone that there was a case registered against them for abduction. The victim was taken to various places and accused were demanding Rs.10 lakhs. At one place, about four persons pelted stones on the car, therefore, the accused inferred that the police had informed the people in the surrounding area and they were under suspicion. In the meantime, the car was continuously giving trouble finally came to a halt. The victim took advantage of the situation and escaped from them. He ran towards the locality where he could see people. He informed them about the incident. Police were informed. Police patil Umesh Katkar reached there. Other police staff were called. In the same area the applicant and Navnath were arrested. Nandu

Karande had escaped. The investigation was carried out and the charge-sheet was filed.

3. Heard Mr. Nitesh Mohite, learned counsel for the Applicant and Smt. A. A. Takalkar, learned APP for the State/Respondent.

4. He submitted that the applicant is not named in the FIR and there is no recovery at the instance of the applicant. The applicant is 19 years of age. The applicant is in custody since July.

5. Learned APP opposed all these submissions and pointed out that the offence is very serious.

6. I have considered all these submissions. Though, his name is not in the FIR, the most important circumstance in this case is the statement of the victim himself. The victim has given graphic details as to how he was abducted, assaulted, taken to various places and finally how he could rescue himself. This statement, at this stage, cannot be ignored. His version is supported by the medical certificate in respect of the injuries suffered by him. The injured had suffered three injuries; one was on the head causing bleeding. The applicant and his co-accused

Navnath were caught in the vicinity from where the victim had escaped. Thus, at this stage, there is sufficient material against the present applicant. The offence is serious and though he is a young boy, at this stage, I am not inclined to grant bail to the applicant.

7. The application is rejected.

(SARANG V. KOTWAL, J.)