

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

ANTICIPATORY BAIL APPLICATION NO.1580 OF 2019

Baba Sadashiv Bhosale

.... Applicant

versus

The State of Maharashtra

.... Respondent

.....

- Mr.Satyam H. Nimbalkar, Advocate for Applicant.
- Mr.Rajan Salvi, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 19th JULY, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.274/19 registered with Yerwada Police Station, Pune, under sections 386, 323, 341 r/w 34 of the Indian Penal Code.
2. The FIR is lodged by one Subhashchand Rajbahadur Gautam on 09/04/2018. He was a driver. On 08/04/2019 he was carrying his truck loaded with furniture towards Pune. When he reached Kalyani Nagar from Yerwada, two persons

accosted him. They asked him to pay extortion money of Rs.25,00,000/-. They threatened him. One of them removed the key of the truck from him. The driver called owner of the furniture. The owner sent one of his friends to the spot. That friend Ashish Dnyandeo Mane also tried to talk with the accused Raju Kamble and Ganesh Shinde. But they did not pay any heed. It is the allegation in the FIR that the accused Kamble called the present Applicant. The present Applicant spoke with the first informant. On the telephone, the first informant was threatened. The Applicant told him to make the payment as was demanded by accused Kamble and Shinde. The first informant got frightened. He left the truck there itself and ran away. From there he went to the police station and brought the police to the spot. The two accused Kamble and Shinde were still present on the spot. They were arrested. After that the FIR is lodged.

3. Heard learned Counsel Mr.Satyam H. Nimbalkar for the Applicant and learned Mr.Rajan Salvi APP for the State.

4. Mr.Nimbalkar submitted that there are no call details available in respect of the telephone call. The present Applicant was not present at the spot. However, at this stage, the allegations in the FIR are sufficiently clear that the extortion was going on at the behest of the present Applicant. Therefore his custodial interrogation is necessary. Therefore no case of protection of anticipatory bail is made out. The application is therefore rejected.

(SARANG V. KOTWAL, J.)