

Dusane

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2276 OF 2019

Firoz Rajjak Shaikh Applicant

Vs.

The State of Maharashtra Respondent

Mr. Prabhanjan Gujar, Advocate, for the Applicant

Ms. P.P. Shinde, APP, for the Respondent – State

Mr. V.K. Patil, PSI, Vishnu Nagar Police Station, Thane City present

CORAM : REVATI MOHITE DERE, J.
DATE : 24.09.2019

P.C.

1. Heard learned counsel for the parties.
2. By this Application, the Applicant seeks his enlargement on bail in connection with C.R. No. I-112 of 2018 registered with Vishnu Nagar Police Station, Dombivli, for the alleged offences punishable under Sections 387 and 120-B of the Indian Penal Code.
3. Perused the papers. According to the complainant, Pradip Mahadu Joshi, he is a developer by profession. He has stated that his

niece was to be married on 30th April, 2018. According to the complainant, he received a call on 20th April 2018 on his cellphone. He has alleged that the caller (Bhagwan Vishe) threatened him and demanded an amount of Rs.2,00,000/- from him. The said caller (Bhagwan Vishe) is alleged to have threatened him with dire consequences, in the event, the money was not arranged. As the complainant was busy with marriage preparation, he did not lodge the complaint immediately and lodged the aforesaid complaint/F.I.R. only on 10th May, 2018, as against unknown person. During the course of investigation, the accused including the applicant were arrested.

4. According to the prosecution, the caller (Bhagwan Vishe) had made the said threatening call to the complainant from the applicant's mother's mobile. Similarly placed co-accused- Sanjiv Pandit Patil has been enlarged on bail by this Court (Coram : Prakash Naik J.) vide order dated 22nd January, 2019 passed in Criminal Bail Application No. 3350 of 2018. The applicant is aged 19 years old and has no criminal antecedents. The applicant is in custody since 11th May, 2018. Investigation is completed and charge-sheet is filed and hence further detention of the applicant is not necessary.

5. Considering the role alleged to have been played by the applicant and what is stated aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions :

ORDER

(i) The applicant be released on cash bail in the sum of Rs. 15,000/- for a period of six weeks.

(ii) The applicant shall within the said period of six weeks, furnish PR Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount;

(iii) The applicant shall report the concerned police station on the first Saturday of every month between 10.00 am. to 11.00 am. for a period of 24 months from the date of his release.

(iv) The applicant shall not contact the complainant or any other witness concerned with the said case;

(v) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the concerned Police Station;

(vi) The applicant to cooperate with the conduct of the trial and attend the trial Court on every date;

(vii) The applicant shall file an undertaking with regard to Clauses (i) to (vi) in the trial Court, within two weeks of his release.

(viii) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

6 The Application is allowed in the aforesaid terms and is accordingly disposed of.

7 All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)