

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

BAIL APPLICATION NO.2302 OF 2019

Ajahar Apsar Shaikh

.... Applicant

versus

The State of Maharashtra

.... Respondent

.....

- Mr. Pankaj P. Deokar, Advocate for Applicant.
- Mr. S. H. Yadav, APP for the State/Respondent.

**CORAM: SARANG V. KOTWAL,
J.**

DATE : 10th OCTOBER, 2019

P. C. :-

The applicant is seeking his release on bail in connection with C.R. No.70/2019 registered at Phaltan City Police Station, Satara under Sections 364-A, 395 and 397 of IPC. The FIR is lodged on 20/2/2019. The applicant was arrested on 20/2/2019 and since then, he is in custody. The investigation is over and chargesheet is filed.

2. The FIR is lodged by one Prashant Shelar who was working as Manager in Lifeline Hospital, Phaltan. The victim Dr. Sanjay Raut was working in the same hospital. On 19/2/2019, at about 9.45 p.m. victim Dr. Raut had visited the hospital for treating his patients and thereafter, he left from there. At about 10.30 p.m. the first informant received phone call from Dr. Raut. He appeared to be scared. He asked the informant to make arrangements for Rs.4 to 5 Crores. That amount had to be given to somebody during midnight. The informant contacted Dr. Raut's friends and also his family. At around 11.00 p.m. he again received a phone call from Dr. Raut, who again made inquiry regarding money. In the midnight, around 1.30 a.m. again Dr. Raut called him and asked about whether he had made arrangement for the money. Therefore, first informant went to the Police Station and lodged his FIR at 2.45 a.m.

3. On the next day, early morning, the victim was released by the abductors. During investigation, the

applicant was arrested.

4. Heard Mr. Deokar, Ld. Counsel for the Applicant and Mr. Yadav, Ld. APP for the State/Respondent.

5. Mr. Deokar, Ld. Counsel for the Applicant submitted that there is no specific role attributed to the present applicant. Two co-accused are already released on bail by the Court of Sessions. He submitted that therefore, on the ground of parity the applicant also deserves to be released on bail.

6. Ld. APP Shri. Yadav opposed this application and relied on the statement of the victim recorded under Section 161 and 164 of Cr.P.C.

7. I have considered these submission and I have perused the chargesheet. The chargesheet contains two statements of victim Dr. Raut. The statement under Section 161 of Cr.P.C. was recorded on 2/2/2019 and

second statement under Section 164 of Cr.P.C. is recorded on 26/2/2019. In both the statements, Dr. Raut had stated that on 19/2/2019, at around 9.20 p.m. he had left from Lifeline Hospital, Phaltan. At the corner of Ring Road, one person stopped him and gave a blow on his left hand. Somebody assaulted him on his back and head. He fell down. He was abducted in car. He was assaulted. His face was covered. Pistol was kept on his head. They demanded ransom amount of Rs.5 Crores. The applicant somehow contacted the first informant and asked him to make arrangement for Rs.5 Crores. There is a reference to phone calls made to the first informant. In the morning, the abductors believed that there was some difficulty. It was already morning time and therefore, they decided to release Dr. Raut. He was left at a distant spot. The victim could see his abductors. Dr. Raut asked a school boy who was passing from that road about the spot. He came to know that he was five kilometers away from Rajegaon. He started walking towards Rajegaon. One motorcyclerider helped him making a phone call.

Thereafter, he informed his family. The police and family members then took him back.

8. The chargesheet also contains the injury certificate which shows that he has suffered injuries on the face and chest.

9. The test identification parade was held on 27/2/2019. At that time, the victim has identified the present applicant. There is sufficient material against the applicant. The offence is very serious. The victim Dr. Raut was abducted for ransom. He was assaulted. He was taken at secluded spot at midnight. He was made to make arrangement for Rs.5 Crores. He was threatened at the point of revolver. He had given their names as he had heard their names. More particularly, he has identified the applicant in test identification parade. Thus, at this stage, considering the gravity of the offence and the evidence against the applicant, no case is made out to release the applicant on bail. Hence, the following order.

ORDER

- (i) The Application is rejected.
- (ii) The Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)