

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 620 OF 2020

Sudae Chirau Yadav	...Applicant
Versus	
The State of Maharashtra	...Respondent

WITH

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 449 OF 2020

Akbar Jamil Khan	...Applicant
Versus	
The State of Maharashtra	...Respondent

.....

Mr. Aniket Vagal, Advocate for the Applicant in both Anticipatory Bail Applications.

Mr. H. J. Dedhia, APP for the Respondent – State.

.....

CORAM : PRAKASH D. NAIK, J.

DATE : 16th MARCH, 2020

PC :

1. The applicants in both these applications are apprehending arrest in connection with C.R. No. 25 of 2020 registered with D.B. Marg Police Station, Mumbai for offences punishable under Section 384 of Indian Penal Code. The FIR was lodged on 7th February, 2020.
2. The complainant has alleged that, one person who introduced himself as Tejkumar Morya @ Rajesh Khabari met the complainant about six months ago. He stated that he is police informant. He has raided several places along with police. He demanded amount of Rs. 10,000/- as protection money and Rs.5,000/- per month. On 7th

February, 2020 the complainant received call. Since the complainant was busy in work the complainant could not take the call. Thereafter, the complainant called the caller. Accused Tejkumar Morya @ Rajesh Khabari told the complainant to pay amount of Rs. 5,000/- and called the complainant at Gokuldharm Hotel. The complainant gave information to police. Trap was arranged and the accused was apprehended.

3. The applicants had preferred applications for anticipatory bail before the Sessions Court which has been rejected.

4. Learned advocate for the applicants submitted that there is no involvement of the applicants in the present crime. Specific role has been attributed to arrested accused Tejkumar Morya @ Rajesh Khabari. The threats of extortion were going on since one month but the complainant did not make any complaint. The arrested accused had demanded money and told the complainant to part with the amount on the date of his arrest. There is no connection of the applicant with the said crime. The threats of extortion was attributed to the co-accused and not to the applicant. Hence, custodial interrogation of the applicant is not necessary.

5. Learned APP submitted that the investigation is in progress. Supplementary statement of the complainant was recorded which

attributes specific role to the applicants. It is submitted that the applicants are named in the supplementary statements. Statements of the other witnesses to whom similar threats were issued are also recorded. The applicants were instrumental in making calls to victims. The call details collected during investigation supports prosecution case. There are criminal antecedents against both the applicants.

6. I have perused the FIR and the other investigation papers. The supplementary statement of the complainant involves the applicants. Role has been attributed to the applicants. The applicants are allegedly indulging in extortion activities. Both have criminal antecedents. The call data of recorded calls collected during investigation is incriminating against the applicants. Statement of witnesses shows the involvements of the applicants. Interrogation of the co-accused also disclosed complicity of the applicants. Hence, no case for grant of anticipatory bail is made out.

7. Hence, I pass the following order :

ORDER

Anticipatory Bail Application Nos. 620 of 2020 & 449 of 2020 stand rejected and disposed of accordingly.

(PRAKASH D. NAIK, J.)