

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

925 ANTICIPATORY BAIL APPLICATION NO.1366 OF 2021

MAHADEV VISHNU TAPSE
VERSUS
THE STATE OF MAHARASHTRA

...

Mr. Sudarshan J. Salunke, Advocate for the applicant.
Mr. V.S. Badakh, A.P.P. for respondent - State.

...

CORAM : **PRAKASH D. NAIK, J.**

DATE : 17-12-2021

ORDER :

1. The applicant is apprehending arrest in Crime No.448/2021 registered with Chakur Police Station, District Latur for the offences punishable under Sections 364(A), 323, 506 read with Section 34 of the Indian Penal Code.

2. The First Information Report (for short, "F.I.R.") was registered on 2nd October 2021. It is alleged that father of complainant was abducted by accused Nos.1 and 2. The amount was demanded from the victim and compelled to part with the amount of Rs. 50,000/-. The alleged role attributed to the applicant is to provide the premises to the co-accused wherein the victim was allegedly confined.

3. The contention of the applicant is that he has no nexus with accused Nos.1 and 2. Apparently there was agreement between accused No.1 and the victim who is allegedly abducted with regards to the contractual relationship for harvesting of sugarcane and apparently there was some dues to be recovered from the victim.

4. Learned A.P.P. submits that the statement of victim was recorded on 04.10.2021. He has assigned role to the applicant. The victim was assaulted by the applicant with iron rod by giving blow on his hand. There is injury caused to the hand which is simple in nature.

5. Apparently there was an agreement between father of complainant and accused No. 1. Statements of the complainant and the victim appear to be contradictory to each other. The possibility of exaggeration cannot be ruled out. In view of the factual aspect of the matter, applicant need not be subjected to custodial interrogation. Hence, the following order.

ORDER

- (i) ABA No.1366 of 2021 is allowed.
- (ii) In the event of arrest of the applicant in Crime No.448/2021 registered with Chakur Police Station, District Latur, the applicant be released on bail on executing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.

- (iii) The applicant shall report the Investigating Officer as and when called for, till filing of the charge-sheet.
- (iv) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)

VD_Dhirde