

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.975 OF 2021

Akhilesh Anil Tiwari

Applicant

versus

The State of Maharashtra

Respondent

Mr.Keshav Chavan for applicant.

Mr.A.R.Kapadnis, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 9th April 2021

PC :

1. The applicant is apprehending arrest in CR No.7 of 2021 registered with Dharavi Police Station for offences under Sections 394, 504, 506(2), 34 of Indian Penal Code and under Sections 4, 24, 37(1)A, 135 of Mumbai Police Act.

2. The case of the prosecution is that applicant had threatened the complainant and his friends at the point of knife and took away amount of Rs.700/- from the complainant. It is alleged that the applicant and his associates are creating terror in the area. They are extorting money from the shop keepers and others. They are always armed with weapons like knife, chopper and sword. The incident had occurred in the night at about 3.00 am on 5th January 2021.

3. Learned counsel for applicant submits that FIR is false. Section 394 is not attracted in this case. The alleged incident had occurred at 3.00 am which is difficult to accept. There was no intention to commit robbery. The co-accused are arrested and they are granted bail.

4. Learned APP submitted that three other cases are registered against applicant with the same police station for the offence u/s 324 of IPC. The applicant is habitual offender.

5. On perusal of the FIR and the documents on record it is apparent that specific overt act has been attributed to the applicant. The offence is of serious nature. The submissions of learned advocate for applicant cannot be accepted at this stage. Considering the nature of allegations and also considering the fact that applicant is having criminal antecedents, no case for grant of anticipatory bail is made out. The application is rejected.

(PRAKASH D. NAIK, J.)

MST