IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1831 OF 2021

Praveen Kumar S/o Janardhan Rao ....Applicant

Versus

The State of Maharashtra & Anr. ....Respondents

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Mr. Sandeep Sheregar for the Applicant.
Mr. R. M. Pethe, APP for the Respondent-State.
Mr. Atul Dhake (Police Inspector) DCB CID unit Zone- 12, Dahisar Police Station, present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 21st SEPTEMBER 2021

P.C.:

1. This is an application for Anticipatory Bail. The Applicant is apprehending arrest in connection with C. R. No. 31 of 2020, registered with DCB CID unit Zone XII for the offences punishable under Sections 386 r/w 34 of the Indian Penal Code.

2. The case of the prosecution is that the Complainant received the call on 16th January, 2020. He answered the call. The caller informed him that he is Suresh Pujari. The caller demanded Rs.3,00,000/-. He was threatened the Complainant that if the Complainant does not send money, the Complainant and his all family members would be killed. The Complainant received a call in

the afternoon. The caller asked him about the arrangement of Rs. 3,00,000/-. The Complainant stated that he could not arrange the said amount. Thereafter, caller Pujari told him to arrange amount of Rs.1,00,000/-. On 20th January, 2020 the Complainant received call from the same number, the caller Mr. Pujari asked about arrangement of money. He threatened that the Complainant's hotel would be vandalized. The Complainant received another call from the same number and the caller is inquired whereabout. The caller was told to visit the nearest state bank and deposit the money in the account number of the Applicant. The Complainant deposited amount of Rs.22,000/- and Rs.27,000/-.

3. The learned Counsel for the Applicant submits that the Applicant is not involve in the offence. He is not connected with the prime accused. At the most role, which was given to the Applicant is to get the deposit of amount in his account. The custodial interrogation of the Applicant is not necessary. He is ready to co-operate with the investigation. There are no criminal antecedents against the Applicant. He was no extortion. He has not participated in the crime.

4. The learned APP submitted that there is sufficient evidence against the Applicant. He is also stated that the Caller is under world gang member who is operating from abroad. The custodial interrogation of the Applicant is necessary.

5. The account number in which the Complainant deposited the amount belongs to the Applicant. The Applicant cannot state that he was forced to utilize his bank account. The offence is of serious nature. The learned Counsel for the Applicant has relied upon the several decisions of the Supreme Court and other Courts, in support of his application for anticipatory bail. He relied upon the decision in the case of (i) ***R. S. Nayak V/s. A. R. Antulay & Anr.*** (ii) ***Surendra Chauhan V/s. State of M. P.*** (iii) ***Subed Ali V/s. The State of Assam*** (iv) ***Siddharam Satlingappa Mhetre V/s. State of Maharashtra & Ors.***

6. The link between the Applicant and the gangster Suresh Pujari is revealed. The Applicant cannot claim ignorance to the account number of the Applicant was utilized. The involvement of the Applicant is disclosed. No case for grant of anticipatory bail is made out.

ORDER

Anticipatory Bail Application No. 1831 of 2021 is rejected and disposed of.

(PRAKASH D. NAIK, J.)