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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 3085 OF 2021

KABIRUDDIN KADIRUDDIN SHAIKHAPPLICANT

V/s.

THE STATE OF MAHARASHTRARESPONDENT

Mr. Nehal Desale i/b Laxman C. Prajapati for the applicant
Mrs. Rutuja Ambekar APP for the State

CORAM : NITIN W. SAMBRE, J.

DATE: DECEMBER 21, 2021.

P.C.:

1] Applicant is seeking pre-arrest bail in C.R. No. 558/2021 registered with Nayanagar Police Station for offence punishable under Sections 384, 385 of the Indian Penal Code.

2] Prosecution case is, applicant acted in aid of main accused Salman Sheikh in the matter of extortion.

3] Submissions of learned counsel for the applicant are, applicant is falsely implicated as applicant has visited the market and not involved in the offence. It is further claimed that criminal antecedents against co-accused cannot be considered to the detriment of the applicant.

4] Learner APP submits that applicant along with main accused Sonu had reign of terror in the area. They are involved in serious offence of extortion which is already recorded in a video. Applicant's involvement can be inferred.

5] Considered submissions.

6] FIR speaks of very involvement of the applicant in a serious offence of extortion. Said event of extortion is video graphed and learned a APP on instructions from the investigating officer informs that applicant's presence and participation in the offence of extortion can be easily visualised.

7] Nature of offence alleged has resulted into disturbance of law and order situation in the market area as the applicant along with other co accused has exerted physical pressure on the street vendors and collected Hapta. Prima facie involvement of the applicant can be inferred from the material available on record. That being so no case for bail is made out. Application stands rejected.

[NITIN W. SAMBRE, J.]