

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2497 OF 2021

Ajit Moulali Chavan ...Applicant

vs.

The State of Maharashtra ...Respondent

Mr. Ritesh Thobade a/w. Mr. Sagar Tambe, for the Applicant.
Ms. P.N. Dabholkar, APP, for the State.

CORAM : N. J. JAMADAR, J.

DATE : JUNE 13, 2022

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. Apprehending arrest in C.R. No. 493 of 2021 registered with Sadar Bazar police station, Solapur for the offences punishable under sections 364-A, 365, 345, 346, 347 and 387 of Indian Penal Code, 1860 the applicant has preferred this application for pre arrest bail.

3. Ms. Pooja Vishal Patil, the first informant, lodged report on 5th August, 2021, that on 4th August, 2021 her husband Vishal did not return home till late evening. She was concerned. In the meanwhile Vishal made a call and informed her that some persons had abducted him and they were demanding a ransom. Vishal also informed her that if a sum of Rs. 30,000/- was not arranged by the

next morning, those persons will kill him. The first informant made an effort to arrange the amount. However, till the evening of 5th August, 2022 she could not arrange the said amount and, thus, she lodged report against unknown persons.

4. During the course of investigation, the identity of the persons who allegedly abducted Vishal seems to have been revealed. The applicant was named as one of the abductors, by one of the witnesses interrogated by the police. The applicant thus preferred an application for pre-arrest bail.

5. By an order dated 22nd October, 2021 interim protection was granted to the applicant.

6. The learned counsel for the applicant submits that, in the intervening period, the principal accused has been enlarged on bail by the learned Additional Session Judge, Solapur in Criminal Bail Application No. 1558 of 2021.

7. From the perusal of the order passed by the learned Additional Session Judge, it becomes evident that there was a dispute between the victim Vishal and Mr. Ravi Rathod over the repayment of a sum of Rs. 30,000/-. In any event, prima facie, there is no material to indicate that the applicant had abducted the victim for ransom. At this length of time, the custodial interrogation of the applicant does not seem warranted. Hence, I am inclined to exercise

the discretion in favour of the applicant. Thus, the following order.

ORDER

- 1] The application stands allowed.
- 2] In the event of arrest of the applicant Ajit Moulali Chavan in C.R. No. 493 of 2021 registered with Sadar Bazar police station, Solapur for the offences punishable under sections 364-A, 365, 345, 346, 347 and 387 of the Penal Code, the applicant be released on executing a P.R. Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount.
- 3] The applicant shall not tamper with the prosecution evidence and shall not give any threat or inducement to any of the prosecution witnesses.
- 4] The applicant shall regularly attend the proceeding before the learned Magistrate and the Court of Session, in the event of committal of the case to the Court of Session.

(N. J. JAMADAR, J.)