

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 247 OF 2022

Pintu Dilip Gautam Jaiswal .. Applicant
Versus
The State of Maharashtra .. Respondent
...

Ms.Ankita Bamboli for the applicant.
Mr.S.V.Gavand, APP for the State.
PSI Shri S.R. Salunkhe from Kurar police station.

CORAM: BHARATI DANGRE, J.
DATED : 3rd AUGUST 2022

P.C:-

1 The applicant is charge-sheeted u/s.436, 387, 323, 506(2) of IPC. He came to be arrested on 2/3/2022 in connection with C.R.No.113/2020 and on completion of investigation, charge-sheet has been filed. The subject C.R. came to be registered at the instance of one Navaram Chaudhary, a grocery shop owner who informed to the police on 2/3/2022 that he is acquainted with the person named Pintu Dilip Gautam Jaiswal, who is in a habit of harassing the residents of the locality and he pick up things from the vendors of the shop owners and if somebody demand money in return, he threaten and abuse them. Because of the reign of terror created by him, nobody has

reported his acts to the police. As far as the complainant is concerned, it is alleged that the applicant often pick up grocery as well as cold-drink, juice etc without paying any consideration. The complainant narrate that on 1/3/2022, he picked up a juice bottle from his shop and when money was demanded, he was abusive. He is also alleged to have assaulted an employee working in the shop and while leaving the shop, he threatened the complainant by alleging that he will burn his shop.

On 2/3/2022, while the employee was sleeping in the shop, it is noticed that it was on fire. He made a phone call to the complainant and attempt was made to extinguish the fir. People gathered around and the CCTV camera recorded the presence of the applicant, who brought an inflammable substance and by throwing it on the shop, he had put the shop on fire. In the said incident, the refrigerator as well as certain foodgrains in the shop were burnt. In support of the prosecution case compiled in the charges-sheet, which include a CCTV footage, it has been obtained ensuring compliance of Section 65B of the Evidence Act.

2 The statement of witnesses, including the employee of the complainant is also compiled in the charge-sheet. The statements unequivocally establish the accusation against the present applicant u/s.436 and 387 of the IPC.

3 The learned APP has also invited my attention to the criminal antecedents attributed to him and this include the following offences

- (i) C.R. No. 564/2019 Sections 323, 324, 506 r/w Section IPC.
- (ii) C.R.No. 593/2018 Sections 354, 504, 506 IPC with Section 6 and 12 of POCSO Act.
- (iii) C.R.No. 19/2020 Sections 4, 25 of Arms Act with Section 37(1)(A) and 135 of the Maharashtra Police Act.

4 Considering the material in the charge-sheet, which *prima facie* indicate the connection of the applicant through an offence punishable u/s.436 IPC which is punishable with an Imprisonment which may extend to 10 years and taking into account the antecedents of the applicant, he do not deserve his release on bail.

Application is rejected.

(SMT. BHARATI DANGRE, J.)