

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3131 OF 2022**

Ankush @ Balaji Bhanudas Jadhav ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Aniket Nikam a/w Mr. Aashish Satpute i/b Mr. Amit Icham for the Applicant.

Mr. P.H. Gaikwad Patil, APP for the State.

API Ashwini Shedge Baramati Police Station, present.

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CORAM : N.R. BORKAR, J.

DATED : 12 DECEMBER 2022

P.C. :-

This is application under Section 439 of the Code of Criminal Procedure.

2. The applicant came to be arrested in Crime No. 173 of 2022 registered at Baramati Taluka police station for the offences punishable under Sections 364, 307, 327, 143, 147, 148, 149, 504, 506 of Indian Penal Code.

3. There was a financial dispute between the complainant and co-accused Manoj Mule. According to the complainant, on account of the said dispute, on 21 March 2022 at about 7.30 p.m. the present applicant and other co-accused abducted him, while he was at 'Force

Gym' Baramati and they initially took him to Bhigvan by Scorpio Jeep and from there to Karmala, District : Solapur by another Scorpio Jeep. According to the complainant, he was made to sign on some papers, he was assaulted and when he became unconscious, he was thrown out of the vehicle near Malshej Ghat, District : Thane.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

5. According to the complainant, he was abducted from 'Force Gym'. However, a statement of employee of the said gym, namely, Rutik Gawade is otherwise. Apart from it, the present applicant was not there with the other co-accused, when they had taken him to Karmala to Bhigvan and assaulted him. There are no criminal antecedents. Considering these facts, I am inclined to release the present applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 173 of 2022 registered at Baramati Taluka police station for the offences punishable under Sections 364, 307, 327, 143, 147, 148, 149, 504, 506 of Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)