

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRI. ANTICIPATORY BAIL APPLICATION NO. 2961 OF 2021

Rabbil Rajjak Shaikh

..Applicant

Vs.

The State of Maharashtra

..Respondent

Mr. Shailesh Kharat i/b. Mr. Rajesh V. Katore, for the Applicant.
Mr. R. M. Pethe, APP for the Respondent / State.

**CORAM : C.V. BHADANG, J.
DATE : 25 FEBRUARY 2022**

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. The Applicant, apprehending arrest, in connection with investigation of Crime No.72/2021 of Police Station Khadaki, Pune, under Section 364-A, 384 and 386 r/w. 34 of IPC, is seeking anticipatory bail.

2. The aforesaid crime is registered on the basis of the complaint lodged by Vaishali Prashant Keskar on 20 February 2021. She claims that her husband Prashant Keskar had taken a loan of Rs.60,000/- from the co-accused Sandeep Ahir who admittedly is having a money lending licence. The loan was taken somewhere in

2019 in order to meet the expenses of her medical treatment. She claims that inspite of the entire amount being returned alongwith interest, Sandeep Ahir was pestering for further payment. She claims that on 8 February 2021, a call was received on mobile of her husband that her husband was abducted by Sandeep Ahir alongwith present Applicant and other two associates and was confined and assaulted. Her husband was released on 9 February 2021 and came home in the night with injuries on his person. On 16 February 2021, her husband had made an attempt to commit suicide by consuming poison. However, he could be saved on account of treatment. After the incident of 16 February 2021, the present complaint came to be lodged on 20 February 2021.

3. I have heard the learned counsel for the parties. Perused record.

4. *Prima facie*, it appears that the material allegation is against Sandeep Ahir who admittedly has a money lending licence and the loan for an amount of Rs.60,000/- was given by him to the husband of the first informant. The name of the present Applicant figures in respect of the incident dated 8 February 2021. The record discloses that Sandeep Ahir has been granted anticipatory bail by the learned Sessions Judge.

5. Be that as it may, the learned APP has opposed the Application on the ground that the Applicant has criminal antecedents to his discredit.

6. I have gone through the details of the same. The criminal antecedents of the Applicant cannot come in the way unless a *prima facie* case, showing involvement in the present crime alongwith the necessity for custodial interrogation is made out. The record discloses that the interim protection which was granted by the learned Sessions Judge is continued by order dated 10 December 2021 which is operating in favour of the Applicant since then.

6. In such circumstances, the following order is passed

ORDER

(i) In the event of his arrest, in connection with investigation of Crime No.72/2021 of Police Station Khadaki, Pune, the Applicant Rabbil Rajjak Shaikh, be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties, in the like amount.

(ii) The Applicant shall report to the Investigating Officer on 3/3/2022 and 4/3/2022 in between 11.00

a.m. to 1.00 p.m. and as and when required and shall cooperate with the Investigating Agency.

(iii) The Criminal Application is disposed of, in the aforesaid terms.

C.V. BHADANG, J.