

...Applicant

...Respondent

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Mr. Iqbal Gulab, PSI Laxmipuri Police Station, Present.

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DATED : 18 NOVEMBER 2022

This is an application under Section 438 of Code of Criminal Procedure.

3. It is the case of the prosecution that on 01.10.2022 the accused No. 1 alongwith other co-accused came to the office of Amrut Rajendra Mahadik and abducted him on account of some financial transaction.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent-State and perused the statement of said Amrut Mahadik.

5. Admittedly, the present applicant was not accompanying the accused No.1 at the time of alleged abduction.

6. The learned APP submits that the present applicant was also part of the alleged conspiracy to abduct the victim- Amrut Mahadik. However, admittedly, the financial transaction was between victim and accused No.1. According to the victim, the present applicant was present in the shop where he was brought after alleged abduction. It is not the case of the prosecution that the alleged abduction was done at the instance of present applicant due to alleged financial transaction between accused No.1 and the victim. No overt act is attributed to the present applicant in alleged crime. There are no criminal antecedents.

7. Considering the above facts and circumstances, I am inclined to release the applicant on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest the applicant shall be released on bail in Crime No. 274 of 2022 registered at Laxmipuri police station for the

offence punishable under Sections 363, 323, 504, 506 read with 34 of Indian Penal Code on furnishing P.R. bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(iii) The applicant shall attend the concerned police station on 24 November 2022 and 25 November 2022 between 11.00 am to 2.00 pm and thereafter as and when called and shall co-operate in the investigation.

(N.R. BORKAR, J.)