

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 536 OF 2022

Sunil Mohan Kadam ... Applicant

Versus

State of Maharashtra ... Respondent

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Mr. Ankush Dhokale instructed by Mr. Keshav Chavan for the Applicant.
Mr. P.H. Gaikwad Patil, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 24 JANUARY 2023

P.C. :-

1. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 439 of 2019 registered at Islampur Police Station, Sangli for the offences punishable under Sections 363, 364-A, 365, 120-B r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. The allegations against the present applicant and other co-accused are of kidnapping for ransom.

5. This Court by order dated 17 July 2021 in Bail Application No.19 of 2020 while releasing the co-accused on bail has observed :

“The supplementary statement dated 8/6/2019 of the complainant would reveal that though he says that missing complaint was filed by him, but the same does not mention anything about a demand of ransom being made. Even the statement of Varadraj does not reveal that during the time he was in custody, he overheard any demand for ransom or there was a threat to his life or bodily injury to his person.”

6. In view of the above prima-facie finding and as the applicant is in jail for about 4 years, I am inclined to release him on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Sunil Mohan Kadam be released on bail in Crime No. 439 of 2019 registered at Islampur Police Station, Sangli for the offences punishable under Sections 363, 364-A, 365, 120-B r/w. 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.

(N.R. BORKAR, J.)