

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 514 OF 2023

Yogesh B. Rane

...Applicant

V/s.

State of Maharashtra and anr.

...Respondents.

Mr. Ramanik P. Pawar for the Applicant.

Mrs. Rutuja Ambekar, APP for the Respondent/State.

Mr. Vivek Arote for the Respondent No.2.

CORAM : N.R. BORKAR, J.
DATE : 30.03.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 41 of 2023 registered at Laxmipuri Police Station, Kolhapur for the offences punishable under Sections 3(1) read with 25 of the Arms Act and Section 506 of the Indian Penal Code (IPC).

3. According to the prosecution, there is enmity between the applicant and one Atul Kalyankar. It is alleged that the applicant wanted to eliminate him. It is alleged that on 26 January 2023, the present applicant told the complainant, who happens to be friend of the applicant as well as Kalyankar to kill him and handed over one pistol and two live cartridges to her. It is alleged that when the complainant refused to do so, he threatened her of dire consequences. It is alleged that the complainant had, thus, lodged the report.

4. The complainant has filed the affidavit. According to the complainant, she was made to lodge the false complaint against the applicant. However, it appears from the order of the Sessions Court that the complainant had filed the affidavit and objected to the application filed by the applicant for grant of anticipatory bail on the ground that there is threat to her life. It appears that then she took contrary stand at the time of hearing of the application. Even she is disowning the pursis filed before the Sessions Court. Therefore, no reliance can be placed on her affidavit.

5. It appears that the applicant is involved in the multiple crimes. Considering the nature of offence, I am not inclined to release the applicant on anticipatory bail. Hence, the Anticipatory Bail Application is rejected.

[N.R.BORKAR, J.]