



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

BAIL APPLICATION NO. 2346 OF 2023

PRAMOD @ KHANDYA BALASAHEB

DHARASHIVKAR

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Shailesh Chavan a/w Adv. Nagesh Khedkar a/w
Sanjeev Duduskar for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 11, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under Sections 306, 395, 363, 323, 506, 511, 212 and 34 of the Indian Penal Code (hereafter 'IPC' for short) and Sections 39 and 45 of the Maharashtra Money Lending Act registered on 24/05/2017 vide C.R. No.393 of 2017 with Satara City Police Station.
- 3.** The applicant was already in custody for some other

offence in which he was enlarged on bail on 19/10/2022 vide Bail Application No. 4229 of 2021. So far as the present application is concerned, the applicant was taken into custody on 01/02/2020.

4. The accusations of the informant are that the applicant handed over money to the informant as a loan after deducting the interest. The applicant claimed exorbitant returns and recovered much more than what was due and payable. The informant was threatened to pay much more amount and finally was abducted by the accused. The applicant is in custody for more than 6½ years, though the arrest is shown on 01/02/2020 as he was in custody for some other offence.

5. Learned APP opposed the application and submitted that the informant gathered the courage to file the FIR only because of the C.R. 511 of 2017 was registered against the applicant in another offence and hence the delay. The applicant had created a reign of terror in the area and therefore, even the informant was apprehensive of filing a complaint against the applicant till he felt scared with the

applicant being in custody in another offence.

6. Looking at the nature of the allegations, though I am inclined to enlarge the applicant on bail on the ground of long incarceration with no likelihood of the trial concluding soon, I propose to impose stringent conditions on account of the propensity of the applicant to commit a similar offence. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Pramod @ Khandya Balasaheb Dharashivkar in connection with C.R. No.393 of 2017 registered with Satara City Police Station shall be released on bail on his furnishing P.R. Bond of Rs.50,000/- with one or more sureties in the like amount.
- (c) Except for the purpose of attending the trial in the present case or in any other case, the applicant shall not enter Satara District till the conclusion of the trial.
- (d) The applicant shall report to the nearest police station, close to his residence while residing out of Satara District, once a week every Sunday, between 11.00 a.m. and 01.00 p.m.

(e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(f) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer while residing out of Satara District and shall keep him updated, in case there is any change.

(g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(h) Before entering Satara District for the purpose of attending the trial, the applicant shall inform the Investigating Officer so that necessary protection can be given to the witnesses.

7. The application is disposed of.

(M. S. KARNIK, J.)