

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

ANTICIPATORY BAIL APPLICATION NO. 19 OF 2023

1) Avinash Shripati Shukla	
2) Prakashchandra @ Dabbu	
Shripati Shukla	..Applicants
vs.	
The State of Maharashtra	..Respondent

Mr. Sandeep R. Mishra i/b B.N. Pandey for the Applicant.

Ms. A.A. Takalkar, APP for the State.

API Bharat Mane, Juhu Police Station, is present.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 5, 2023

P.C. :

1. Heard learned counsel for the applicants and the learned APP.

2. This is an application for pre-arrest bail. The applicants are apprehending arrest in connection with First Information Report ("FIR", for short) No.0569 of 2022 dated 12/05/2022, registered with Juhu Police Station, for the offence punishable under sections 385, 387 and 34 of the

Indian Penal Code, 1860.

3. The learned counsel for the applicants seeks leave to withdraw the application on behalf of the applicant no. 1- Avinash Shripati Shukla. The application is allowed to be withdrawn on behalf of the applicant no. 1.

4. So far as applicant no. 2 is concerned, he is the original accused no. 5 who has been named by the accused nos. 1, 2 and 3 who have since been arrested. It is alleged that the accused wanted to extort a sum of Rs.1 crore from the complainant. The applicant no. 1 was working as a security guard with the complainant who handed over the letter of extortion to the complainant. So far as role of the applicant no. 2 is concerned, it appears that there are some phone calls which are made from the telephone of the applicant no. 2 to other accused. Accused nos. 1, 2 and 3 were arrested. The charge-sheet has been filed as against the accused no. 1, 2 and 3.

5. The applicant no. 2 is a handicapped person. Considering the role of the applicant no. 2 as alleged that there are some phone calls made to the other accused, and

as the learned counsel for the applicants submitted that he is willing to co-operate with the investigation and ready to hand over the mobile phone, the custodial interrogation of the applicant no. 2 may not be necessary. There are no criminal antecedents reported against the applicant no. 2. Hence, the following order.

ORDER

(a) In the event of arrest of the applicant no. 2 - Prakashchandra @ Dabbu Shripati Shukla in connection with C.R. No. 0569 of 2022 dated 12/05/2022, registered with Juhu Police Station, the applicant no. 2 - Prakashchandra @ Dabbu Shripati Shukla be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(b) The applicant no. 2 - Prakashchandra @ Dabbu Shripati Shukla shall report to the Investigating Officer of the concerned police station on 10/01/2023, 11/01/2023 and 12/01/2023 between 11.00 a.m. and 1.00 p.m. Thereafter, in any case, he shall report to the concerned police station once in a

month on first Monday, between 11.00 a.m. and 1.00 p.m and as and when called for;

(c) The applicant no. 2 - Prakashchandra @ Dabbu Shripati Shukla shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

6. So far as the applicant no. 1 is concerned, the application stands withdrawn.

7. The application is allowed in the aforesaid terms and accordingly disposed of.

(M. S. KARNIK, J.)