

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

ANTICIPATORY BAIL APPLICATION NO.146 OF 2023

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1. Prabhakar Singh Mahendra Singh Chouhan
2. Abhishek Chouhan @ Mulayam ..Applicants
VS.
The State of Maharashtra ..Respondent

Adv. Kusum Pandey a/w Adv. Pragati Mishra for the
Applicants.
Mr. S. V. Gavand, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 16, 2023

P.C. :

1. Heard learned counsel for the applicants and learned APP for the State.
2. This is an application for pre-arrest bail in respect of the offence punishable under Sections 386 read with Section 34 of the Indian Penal Code, 1860 in connection with C.R. No.I-526 of 2022 dated 21/10/2022 registered with Achole Police Station.
3. The applicants were accused Nos.2 and 3. It is alleged by the first informant that he is a rickshaw driver. According

to the informant, the accused No.1-Lalu is a coolie and demands around Rs.2,500 per month from the rickshaw drivers plying rickshaws in the area. An amount of Rs.12,000/- was paid by the informant to the accused No.1. When the informant refused to comply with the demand, the accused No.1 abused and threatened him. So far as the present applicants are concerned, the applicant No.1 is the father of the accused No.1 and applicant No.2 is the brother of the accused No.1. The informant alleged that the present applicants called upon the informant to pay Lalu as per the demand made by him and further that there were threats issued if the demand is not met. The accusations are mainly against the accused No.1. Considering the nature of the accusations against the accused Nos.2 and 3, the present applicants can be granted pre-arrest bail. There are no criminal antecedents reported against the applicants. The applicant No.1 is the President of the registered union of the rickshaw drivers of which the applicant No.2 is the treasurer and the informant is the advisor of the said union.

4. Hence, the following order :-

ORDER

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R. No.I-526 of 2022 dated 21/10/2022 registered with Achole Police Station, the applicants-Prabhakar Singh Mahendra Singh Chouhan and Abhishek Chouhan @ Mulayam shall be released on bail on furnishing P.R. Bond to the extent of Rs.15,000/- each with one or more sureties in the like amount.
- (c) The applicants shall report to the concerned police station on 20/02/2023 and 21/02/2023 between 11.00 a.m. and 1.00 p.m.
- (d) The applicants to co-operate with the Investigating Officer.
- (e) The applicants 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 and shall not tamper with evidence.

(f) The applicants shall furnish the details of their residential addresses and phone numbers to the investigating officer.

5. The Anticipatory Bail Application stands disposed of.

(M. S. KARNIK, J.)